

CITY COUNCIL

Meeting Agenda

REGULAR MEETING
COUNCIL CHAMBERS

MON, APRIL 13, 2009
7:00P.M.

OPENING MATTERS

CALL TO ORDER

INVOCATION: Pastor Fred Opalinski, Trinity Lutheran Church

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS AND PRESENTATIONS

Council Commendations

- Recognizing the Central Catholic High School Boys Basketball team
- Recognizing the Central Catholic High School Girls Basketball team

PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's remarks. Citizens may not ask questions of Council members or other elected or public officials in attendance.

APPROVAL OF AGENDA

AGENDA: Council Meeting of April 13, 2009

MINUTES: Council Meeting of March 23, 2009

Consent Agenda Legislation

Resolution - authorizing the exoneration of outstanding City property tax, penalties and interest for the year 2008 and 2009 for 1058 Benner's Court, Reading, Berks County, Pennsylvania (**Council Staff**)

Resolution – authorizing an application for “RACP” funds in the amount of five hundred thousand dollars (\$500,000.00) for the “Entertainment Square Lighting” project (**Law**)

Resolution - authorizing the City to submit an application for a PA DCNR Community Conservation Partnerships Program grant for a rehabilitation project at the Barbey Playground (**Man Dir**)

ADMINISTRATIVE REPORTS

REPORT FROM OFFICE OF THE AUDITOR

REPORTS FROM DIRECTORS & BOARDS, AUTHORITIES, AND COMMISSIONS

ORDINANCES FOR FINAL PASSAGE

Ordinance – amending the City of Reading Codified Ordinances Section 10-1212.03.2 adding necessary language to establish a non-refundable application fee for all businesses that sell food in the City of Reading (**Law**) *Introduced at the March 9 regular meeting; Tabled at the March 23 regular meeting; reviewed April 6 at the Public Safety Committee*

Ordinance - amending the City of Reading Codified Ordinances – Chapter 4 – Part 1 Historical Districts – Section 102 by adding the definition of satellite dish, antenna and other modern device and Chapter 4 – Part 1 Historic Districts by establishing guidelines for the installation of satellite dishes and other modern accessories, devices or fixtures of comparable size in historic districts (**Waltman**) *Introduced at the March 23 regular meeting; reviewed April 6 at the Public Safety Committee*

Ordinance - amending Chapter 11 Housing of the City of Reading Codified Ordinances by amending the term "Housing Permit" to "Rental Registration" (**Law**)
Introduced at the March 23 regular meeting; reviewed April 6 at the Public Safety Committee

Ordinance - amending the City of Reading Charter Board Ordinance Section V (A) (2) (c) regarding the withdrawal of complaints filed with the Charter Board (**Charter Board**) *Introduced at the March 23 regular meeting*

Ordinance - amending the full-time employee positions for the City of Reading for the fiscal year 2009 by adding the position of Zoning Inspector and removing one Property Maintenance Inspector (**Community Development**) *Introduced at the March 23 regular meeting*

Ordinance - authorizing the Mayor to execute a deed thereby conveying a certain portion of premises situate at 527 Oley St., Reading to Our City Reading (**Law**)
Introduced at the March 23 regular meeting

Ordinance - amending the FY 2006-2012 Capital Improvement Plan for the City of Reading (**Man Dir**) *Introduced at the February 23 regular meeting; reviewed at the March 16 Public Works Committee Meeting*

Pending
Advertisement and Public Hearing Required by MPC
Notice of Pending Ordinance Doctrine

Ordinance - amending the City of Reading Code of Ordinances Chapter 27 Zoning by creating a new section in Part 11 Additional Requirements for Specific Uses of Zoning Districts by placing requirements for the rental of single family homes in areas zoned R-1, R-1a and R-2 and amending the definitions section (**Council Staff**)
Introduced January 2009, Public Hearing held March 18th at 5 p.m. in Council Chambers

Pending
Approval of supporting Ordinances

Resolution - confirming the appointment of Carl Geffken as Finance Director for the City of Reading (**Man Dir**)

INTRODUCTION OF NEW ORDINANCES

Ordinance - authorizing the Mayor to execute a deed, temporary easement from the City of Reading to the Commonwealth of Pennsylvania, Department of Transportation, and other documents (agreement of sale & settlement statement), thereby conveying premises situate at Route 183, Bern Township, Berks County, Pennsylvania **(Law)**

Ordinance - amending 1-271 of the City of Reading Personnel Code (Salary Administration) by amending the salary range for the Finance Director **(Man Dir)**

Ordinance - setting forth the salary of the Finance Director at ninety-eight thousand dollars (\$98,000.00) per annum **(Man Dir)**

Ordinance - amending the City of Reading Codified Ordinances by creating a new Part 20 - Vacant Building Registration - in Chapter 10 Health And Safety Enforcement **(Council Staff & Law)**

RESOLUTIONS

Resolution – amending the handicapped parking regulations **(Law & Council Staff)**

Resolution - declaring the intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 and required by the Commonwealth of Pennsylvania **(Council Staff)**

Resolution - Approving the Conditional Use application for 10 units, 9 residential units on the upper floors and 1 commercial/office unit on the first floor of 1259 N 10th Street, owned by Bradley Weisman, as attached in the Findings of Fact and Conclusion of Law **(Council Staff)**

Resolution - authorizing the start of the Properties of Merit program in the City of Reading **(Fuhs)**

Resolution - Authorizing the submission of the attached PaDEP Grantee Agreement for Bushong Mill Dam, across the Tulpehocken Creek, upstream from the confluence with the Schuylkill River **(Public Works)** ***Tabled at the February 23 regular meeting of Council; further discussion held at the 3-16 Work Session; public meeting held April 2***

PUBLIC COMMENT - GENERAL MATTERS

COUNCIL BUSINESS / COMMENTS

COUNCIL MEETING SCHEDULE

Monday, April 13

Meeting with the Mayor – Mayor’s Office – 4 pm

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Tuesday, April 14

Administrative Oversight and Land Use Committee – Council Office – 5 pm

Monday, April 20

Meeting with the Mayor – Mayor’s Office – 4 pm

Public Works Committee – Council Office – 5 pm

Administrative Oversight and Land Use Committee – Council Office – 5 pm

Work Session – Penn Room – 7 pm

Monday, April 27

Meeting with the Mayor – Mayor’s Office – 4 pm

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, April 13

Fire Civil Service Board – Penn Room – 4 pm

6th & Amity Neighborhood & Playground Assn – 6th & Amity Fieldhouse – 6:30 pm

Tuesday, April 14

Airport Authority – Airport Authority Office – 8:15 am

15-1 – 928 Pearl St – 6:30 pm

Planning Commission – Penn Room – 7 pm

Bethany Area Neighborhood Organization – Bethany Baptist Church – 7 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, April 15

Convention Center Authority – Sovereign Center CEI Lounge – 7 am

Officers and Employees Pension Board – Penn Room 1:30 pm
Water Authority Workshop – Penn Room – 4 pm
Fire Diversity Board – Penn Room – 4:30 pm
Redevelopment Authority – Redevelopment Office – 5:30 pm
Community Hope of the 6th Ward – Lauer’s Park Elementary – 6:30 pm
UNO – Mennonite Church – 7 pm
Centre Park Historic District – Member’s Home – 7:30 pm

Thursday, April 16

Dare 2 Care – Bethel AME Church – 5:30 pm
Southeast People’s Voice – St. Johns UCC – 6 pm
Mulberry & Green Citizens Committee – St. Luke’s Lutheran Church – 6:30 pm

Friday, April 17

Fire Pension Board – Penn Room – 10 am

Sunday, April 19

College Height’s Community Council – Nativity Lutheran Church – 7 pm

Monday, April 20

Library Board – 113 S 4th St – 4 pm

Tuesday, April 21

Park and Recreation Advisory Committee – Olivet Oakbrook – 5:30 pm
Blighted Property Review Committee – Council Office – 6 pm
HARB – Planning Conference Room – 7 pm
Charter Board – Penn Room – 7 pm
Council of Neighborhoods – Goggleworks – 7:30 pm

Wednesday, April 22

Board of Ethics – Council Chambers – 5 pm
Human Relations Commission – Penn Room – 5:30 pm
Parking Authority – Parking Authority Office – 5:30 pm
District 6 Crime Watch – 13th & Green Elementary – 6:30 pm
Outlet Area Neighborhood – St. Mark’s Lutheran Church – 6:30 pm
18th & Cotton Community Crime Watch – St. Matthew’s – 7 pm
Northeast Crime Watch – Northeast Library – 7 pm
Stadium Commission – Stadium RBI Room – 7:30 pm

Thursday, April 23

Water Authority – Penn Room – 4 pm

Monday, April 27

DID Authority – Reading Eagle 3rd floor conference room – noon

BARTA – BARTA Office – 3 pm

Northwest Neighborhood Assn – Wesley United Methodist Church – 6:30 pm

City of Reading City Council

Regular Meeting Monday, March 23, 2009

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Father Abraham Robles, Youth Pastor from the Spanish Church of God.

All present pledged to the flag.

ATTENDANCE

Council President Vaughn Spencer
Councilor Steve Fuhs, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Maria Baez, District 5
Councilor Jeffrey Waltman, District 6
Mayor T. McMahon
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Public Works Director C. Jones
Sgt. at Arms Captain R. Schafer

PROCLAMATIONS AND PRESENTATIONS

Mayoral Proclamations were issued as follows:

- Recognizing Earth Hour, accepted by Stan Stubbe representing the Pennsylvania Outdoor Lighting Council

City Council Commendations were issued as followed:

- Recognizing the Holy Name High School Boys Basketball team
- Recognizing the Holy Name High School Girls Basketball team
- Recognizing the Reading High School Boys Basketball team
- Recognizing the Reading High School Girls Basketball team
- Recognizing Women's History Month, accepted by the Berks County

- Commission for Women
- Recognizing Greek Independence Day

PUBLIC COMMENT

Council President Spencer announced that seven (7) citizens were registered to address Council on non-agenda matters. He inquired if Council objected to suspending the rule requiring comment on non-agenda matters at the end of the meeting. No one objected, therefore, the rule requiring non-agenda comment at the end of the meeting was suspended. Council President Spencer reminded those registered about the remaining speaking rules.

Maryann Bitting, of Allegheny Street, described the work of many area residents to have the Tulpehocken area designated as a scenic river way. She distributed copies of newspaper articles about the designation. She also described the work of the community to rehabilitate Confluence Park. She noted that the removal of the Bushong Dam will create detrimental downstream changes that will negatively affect the community's use of Confluence Park and Stone Cliff Park. She asked Council to delay making a decision on the removal of Bushong Dam until after the meeting scheduled for Thursday, April 2nd.

Donna Reed, of Argonne Drive, also described the work of the community to make improvements to Confluence Park. She also asked that Council delay making a decision on the resolution to remove Bushong Dam until after the April 2nd community meeting.

Irvin Gring, of the Glenside area, expressed the belief that Bushong Dam should not be removed as it provides recreation activities for City and County residents.

John Ulrich, of Schuylkill Avenue, expressed the belief that as Bushong Dam is stable and does not have any structural damage, it should not be removed. He noted that the lock at the millrace is located at the start of the Union Canal. He stated that this historical and beautiful area should remain intact. He also stated that the removal of the dam will detrimentally affect Stone Cliff Park, downstream.

Floyd Turner, representing the Governor Joseph Heister and PSAAR associations, described the organization's proposal to install a Revolutionary War Memorial in the Veterans Grove area of City Park. He stated that this memorial will honor the gift made by those who have served in the United States military past and present. He noted that memorials also celebrate the freedom and liberty enjoyed by the American population. He described the group's meetings with various City Boards to obtain their input and approval. He also thanked the City Clerk for her invaluable assistance and guidance.

Stefan Kosikowski, of South 11th Street, expressed the belief that the newspaper should be objective and not enter into the political process through the endorsement of candidates for local offices, as they have done in the past. He stated that his 23 month involvement with the Green Party caused the newspaper to negatively slant their report

and interview, rather than focusing on his accomplishments and skills, when he last ran for public office. He also described the Reading Eagle's censorship of the blogs on their website.

APPROVAL OF AGENDA & MINUTES

Council President Spencer asked Council to consider the agenda for this meeting and the minutes from the March 9th regular meeting. He noted the need to add an Award of Contract for architectural services for the City Park band shell and pond and an ordinance for introduction that will address satellite dishes in historic districts.

Councilor Baez moved, seconded by Councilor Marmarou, to approve the minutes from the March 9th regular meeting and the agenda, as amended. The motion was approved unanimously.

Award of Contract- for architectural services for the City Park band shell and pond to Simone Collins, Berwyn, Pa., at a total contract price of \$138,702

Councilor Goodman-Hinnershitz moved, seconded by Councilor Fuhs, to approve the recommended award of contract.

Councilor Fuhs stated that approximately two dozen firms applied for this job, with prices ranging from \$28,000 to \$150,000. He expressed the belief that due to the dramatic swing in the bid prices for this job, the project should have been re-bid. He stated that the Administration selected the company who submitted the second highest bid. He noted Council's request to review the top three proposals when receiving recommendations in the future.

Councilor Sterner agreed with the new requirement for Council review of the top three bids considered. He also expressed concern that the Administration decided to retain the services of the second highest bidder.

Council President Spencer expressed the belief that the selection process used by the Administration is fair. He stated that he has participated on some selection committees for the Waste Water Treatment Plant project. He did question the selection of a firm who drafted the Master Plan for the Park, as their experience working on the plan provided them with an unfair advantage.

The motion to award the contract for architectural services for the City Park band shell and pond to Simone Collins was approved by the following vote:

Yeas: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer, President - 7.
Nays: None - 0.

ADMINISTRATIVE REPORT

Mayor McMahon reviewed the report distributed to Council covering the following:

- Centre Park Door Buster Sale at the Artifacts Bank on April 25th from 9 a.m. to 3 p.m.
- The Start of the Berks Jazz Fest
- The upcoming visit from Reutlingen Germany officials

AUDITOR'S REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following topics:

- 2009 Amusement Fee collections
- 2005-2009 collection of Real Estate Transfer Tax

Councilor Goodman-Hinnershitz acknowledged that City Council knew that the revenue from the Real Estate Tax would not continue to peak. She noted the need for the City to identify a sustainable revenue resource.

ORDINANCES FOR FINAL PASSAGE

Bill No. 11- 2009 - an ordinance amending the City of Reading Code of Ordinances Chapter 6, Part 7, School Time Curfew, to add a new section pertaining to prohibited conduct of juveniles on school days and adding this new section to the enforcement procedure; changing the end times for prohibited conduct and defining grade school, as attached in exhibit A **(Law)** *Introduced at the March 9 regular meeting*

Councilor Marmarou moved, seconded by Councilor Sterner, to enact Bill No 11-2009.

Council President Spencer explained the nature of this amendment.

Bill No. 11-2009 was adopted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer,
President – 7.
Nay: None - 0.**

Bill No. 12-2009 - The Mayor is authorized to execute a deed, and any other required documents, to convey the premises situated at 1019 Penn Street, 1021 Penn Street, 1016 Court Street, 1022 Court Street and 1028 Court Street, Reading, Berks County, Pennsylvania, from the City of Reading to the Reading Redevelopment Authority **(Law)** *Introduced at the March 9 regular meeting*

Councilor Fuhs moved, seconded by Councilor Baez, to enact Bill No. 12-2009.

Council President Spencer explained that this property was originally owned by the Reading Redevelopment Authority, who transferred it to St. Joseph's Hospital for parking. As the hospital has moved away from Reading, the Reading Redevelopment

Authority would like to purchase this parcel for redevelopment or parking uses. The sale price is \$125,000.

Bill No. 12-2009 was adopted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer,
President – 7.
Nay: None - 0.**

Bill No. 13-2009 – amending the City of Reading Codified Ordinances Section 10-1212.03.2 adding necessary language to establish a non-refundable application fee for all businesses that sell food in the City of Reading (**Law**) ***Introduced at the March 9 regular meeting***

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to table Bill No. 13-2009.

Bill No. 13-2009 was tabled by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer,
President – 7.
Nay: None - 0.**

Bill No. 14-2009 - amending Bill No 39-2008 creating the Reading Local Redevelopment Authority by redefining the composition and establishing term expirations (**Council Staff & Law**) ***Introduced at the March 9 regular meeting.***

Councilor Goodman-Hinnershitz moved, seconded by Councilor Fuhs, to enact Bill No. 14-2009.

Council President explained that when the City succeeded the County as the Local Redevelopment Authority, it was believed that the Reading LRA would only exist until the Navy Marine parcel was transferred. However, further research and study of the BRAC regulations has shown that the Reading LRA will stay in place forever. He provided an update on the process followed by the Reading LRA.

Bill No. 14-2009 was adopted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer,
President – 7.
Nay: None - 0.**

INTRODUCTION OF NEW ORDINANCES

Ordinance - amending Chapter 11 Housing of the City of Reading Codified Ordinances by amending the term "Housing Permit" to "Rental Registration" **(Law)**

Ordinance - amending the City of Reading Charter Board Ordinance Section V (A) (2) (c) regarding the withdrawal of complaints filed with the Charter Board **(Charter Board)**

RESOLUTIONS

Resolution 29-2009 – authorizing the installation of a Revolutionary War memorial in the Veteran's Grove of City Park **(Council Staff)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to adopt Resolution No 29-2009.

Councilor Goodman-Hinnershitz noted the importance of recognizing the City and its citizens' participation in the wars waged by our country. She also expressed support for the work and dedication of Mr. Floyd's organization.

Council President Spencer commended the group for their patience as they worked to gain support from various City offices, boards and organizations.

Resolution No. 29-2009 was adopted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer,
President - 7.
Nay: None - 0.**

Resolution 30-2009– authorizing reimbursement of Municipal Police Officers' Education and Training for Officer Derrick Kasprzewski **(Police)**

Resolution 31-2009 - authorizing reimbursement of Municipal Police Officers' Education and Training for Officer Alfredo Ortiz **(Police)**

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolutions 30 and 31-2009.

Resolutions No. 30 and 31-2009 were adopted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer,
President - 7.
Nay: None - 0.**

Resolution 32-2009 – reappointing Robert Reimer to the Shade Tree Commission **(Admin Oversight)**

Resolution 33-2009 – appointing Andrew Molteni to the Environmental Advisory Council (**Admin Oversight**)

Resolution 34-2009 – appointing John Olson to the Zoning Hearing Board (**Admin Oversight**)

Resolution 35-2009 – reappointing Thomas Fox to the Zoning Hearing Board (**Admin Oversight**)

Resolutions No. 32 through 35-2009 were adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner – 5.

Nay: Spencer, President - 1.

COUNCIL COMMENT

Councilor Fuhs noted the honor of commending the students from the Reading High and Holy Name basketball teams for their athletic and academic performance. He complimented the students, coaches and parents of the students who participated in these accomplished teams. He also noted the great pride and strength of the City's Greek community.

Councilor Marmarou noted his pride with the Greek community and their work to educate the youth about Greek heritage and tradition.

Councilor Baez commended the Reading High and Holy Name basketball teams for their athletic and academic performances. She also noted the importance of celebrating Greek Independence Day.

Councilor Baez also described the good attendance at a neighborhood meeting at St. Marks U.C.C. last Thursday. She reported that many citizens complained of problems contacting the Call Center. Citizens reported that many times calls go unanswered and that voice mail is not installed for after hours calls. Mayor McMahon promised to correct these problems.

Councilor Goodman-Hinnershitz commended those involved in the Reading High and Holy Name basketball teams and those celebrating the rich history of the Greek community. She also noted the importance of Women's History Week. She also noted the work of those who worked to rehabilitate Confluence Park

Councilor Goodman-Hinnershitz described the success of the recent meeting regarding the water project for Cotton Street. She stated that all questions were taken down by the Deputy City Clerk, who will work with the Executive Director of the Water Authority to draft responses which will be posted on the City's website.

Councilor Goodman-Hinnershitz announced the opening of Amanda's Garden for the Spring-Summer of 2009.

Councilor Sterner noted the excellent spirit and talent of the Reading High and Holy Name basketball teams and the honor those involved brought to the City of Reading. He also thanked those who spoke this evening about saving the Bushong Dam.

Councilor Sterner announced the Crime Watch meeting scheduled for Wednesday, March 25th at 13th and Green Elementary School.

Councilor Sterner also noted the importance of the work of Wood to Wonderful and the organization's founders Doug and Louise Brown. He described the "Can It" program to deter litter in the City.

Councilor Waltman complimented the Reading High and Holy Name basketball teams. He noted the great character and skill of those involved. He also noted the great contribution of those participating on the local Women's Commission and the Greek Community.

Council President noted the importance of community gardening and the importance of the work of those involved in Amanda's Garden.

Council President Spencer also noted that Council delayed action on the Administration's request to remove Bushong Dam in February. He noted the importance of having input from the affected community.

Council President Spencer noted his appreciation of the work of Wood to Wonderful and of Doug and Louise Brown. He asked all citizens to provide a good example by using the litter cans rather than littering.

Council President Spencer reviewed the upcoming meeting schedule.

Councilor Fuhs moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.

Linda Kelleher CMC, City Clerk

RESOLUTION NO. _____

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY
TAX, PENALTIES AND INTEREST FOR THE YEAR 2008 AND 2009 FOR 1058
BENNER'S COURT, READING, BERKS COUNTY, PENNSYLVANIA.**

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:**

That the City of Reading, City Council does hereby authorize the exoneration
of all outstanding City Property Tax, Penalties and Interest for the year 2008 and 2009,
for 1058 Benner's Court, Reading, Berks County, Pennsylvania, as set forth on Exhibit
A (attached) which are owned by the Reading School District.

Adopted by Council _____,

2009

President of Council

Attest:

City Clerk

TAX ADMINISTRATION
815 Washington Street
Reading, PA 19601-3690

CITY OF READING
2009 Real Estate Tax

Phone: (610) 655-8928
TDD: (610) 655-6442
Fax: (610) 655-6242
E-mail: tax@readingpa.org



Address Service Requested

006994-002 RETX LVVYACR02

READING SCHOOL DIST
800 WASHINGTON ST
READING PA, 19601-3691

Premises:

READING SCHOOL DIST
1058 BENNERS CT READING PA

Account	Assessed Value	Tax Rate	PIN Number
C10531629089289	\$14,400.00	11.445 Mills	10531629089289

Discount	\$161.51	If Paid by April 30, 2009
Face	\$164.81	If Paid by June 30, 2009
Penalty	\$181.29	Effective July 1, 2009

Payment By Mail:

- 1 Detach and mail lower portion with your payment using the enclosed envelope to City of Reading P.O. Box 8080 Philadelphia, PA 19101-8080
- 2 Payments MUST be received by the due date. Please allow 5 business days for USPS processing.
- 3 The Payer assumes all risks with regard to cash payments sent through the mail. **PLEASE DO NOT SEND CASH.**
- 4 Please include your account number(s) on all payments.

Payment In Person:

- 1 Present bill when making payment in person. Payments may be made at City Hall, 815 Washington Street, Reading PA
- 2 All cash payments must be made in person at City Hall.

Make check(s) payable to City of Reading - Do not fold

IF SERVICED BY A MORTGAGE COMPANY, PLEASE FORWARD THIS BILL TO THEM IMMEDIATELY

See other side of document for additional information and instructions

Return portion below with Payment

Account	Assessed Value	Tax Rate	PIN Number
C10531629089289	\$14,400.00	11.445 Mills	10531629089289

READING SCHOOL DIST
800 WASHINGTON ST
READING PA, 19601-3691

Premises:

READING SCHOOL DIST
1058 BENNERS CT READING PA

Discount	\$161.51	If Paid by April 30, 2009
Face	\$164.81	If Paid by June 30, 2009
Penalty	\$181.29	Effective July 1, 2009

City of Reading
P O Box 8080
Philadelphia PA 19101-8080

Amount Enclosed: _____

002 00000C10531629089289 000000161510000001618100000016129 3

HSC080226

SCHEDULE C

PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

ALL THAT CERTAIN two story brick dwelling house and the lot or piece of ground upon which the same is erected situate on the south side of Benners Court, between Maple and Eleventh streets, being No. 1058 Benners Court, , in the City of Reading, County of Berks and State of Pennsylvania, bounded on the North by said Benners Court on the South by a ten foot wide alley and on the East and West by properties now or late of John F. B. Dierolf is on the West and house No. 160 Benners Court is on the East.

CONTAINING in front and width on said Benners Court eleven (11) feet and in depth sixty (60) feet to said alley.

BEING TAX PARCEL NUMBER: 5316-29-08-9289

BEING THE SAME PREMISES WHICH The Redevelopment Authority of the County of Berks by Deed dated 10/28/2008 and recorded in Berks County in Record Book 5437 page 503, granted and conveyed unto The Reading School District, in fee.

RESOLUTION NO. _____

WHEREAS, the Pennsylvania Capital Facilities Debt Enabling Act authorizes funding for eligible economic development capital projects through the Redevelopment Assistance Capital Program ("RACP"); and

WHEREAS, the City of Reading has identified the lighting improvements' project of a certain area situate in the vicinity of Second and Washington Streets, Reading, Berks County, Pennsylvania, known as the "Entertainment Square Lighting" project, as eligible for such "RACP" assistance; and

WHEREAS, the "Entertainment Square Lighting" project of Our City Reading, Inc., will provide employment opportunities, promote economic development in the City of Reading and have a regional, multi-jurisdictional impact therein.

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That the Mayor of the City of Reading is authorized to file an application for "RACP" funds in the amount of five hundred thousand dollars (\$500,000.00) for the "Entertainment Square Lighting" project and to execute any and all necessary documents and to carry out all procedures as required by the Commonwealth of Pennsylvania.

Adopted by Council _____, 2009

President of Council

Attest:

City Clerk

(Law)

AGENDA MEMO

THOMAS McMAHON, MAYOR
RYAN HOTTENSTEIN, MANAGING DIRECTOR

TO: City Council
FROM: Charles M. Jones, Director of Public Works
PREPARED BY: Cindy DeGroote, Grants Coordinator
MEETING DATE: April 13, 2009
AGENDA MEMO DATE: April 8, 2009
REQUESTED ACTION: Council approve a resolution to authorize the Mayor to sign and submit a Pennsylvania Department of Conservation and Natural Resources Community Conservation Partnerships Program Grant Application for the Barbey Playground Rehabilitation Project

RECOMMENDATION

The Administration recommends Council approve a resolution authorizing the Mayor to sign and submit a Community Conservation Partnerships Program Grant application to request funding (\$120,000) of the total project cost (\$300,000) for the rehabilitation of Barbey Playground.

BACKGROUND

The State Department of Conservation and Natural Resources' Community Conservation Partnerships Program (an umbrella term used for DCNR grant programs of which now includes the grant program originally known as Keystone) provide grant funds to meet recreation, park and conservation needs in neighborhoods, communities and regions while fostering and maintaining partnerships within the aforementioned neighborhoods, communities, and regions. The City intends to rehabilitate Barbey Playground. The need for the rehabilitation of this site has been identified as a priority in the City's Ten Year Park, Recreation and Open Space Plan (adopted May 2002). The required (\$200,000) local match of the total project cost (\$320,000) will be applied to through the Community Development Block Grant Program funds.

BUDGETARY IMPACT

None

PREVIOUS ACTION

None

SUBSEQUENT ACTION

None

REVIEWED BY

Director of Public Works, Managing Director and Mayor

RECOMMENDED MOTION

Approve/Deny the resolution to authorize the Mayor to sign and submit a Community Conservation Partnerships Program Grant application for the rehabilitation of Barbey Playground.

Resolution No. _____

RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION FOR A PA DCNR COMMUNITY CONSERVATION PARTNERSHIPS PROGRAM GRANT FOR A REHABILITATION PROJECT AT THE BARBEY PLAYGROUND.

WHEREAS, the Community Conservation Partnerships Grants Program, under the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, provides grant funds to meet recreation, park and conservation needs in neighborhoods, communities and regions while fostering and maintaining relationships within the aforementioned neighborhoods, communities, and regions; and

WHEREAS, the City of Reading desires to rehabilitate a public recreational facility, the Barbey Playground. The need for the rehabilitation of this site is identified as a priority in the City's Ten Year Park, Recreation and Open Space Plan (adopted 5/02).

WHEREAS, THE City of Reading is requesting \$120,000.00 of the total project cost of \$320,000.00 through the DCNR Community Conservation Partnerships Program Grant funds; and

WHEREAS, the local share of funding, \$200,000.00, will be available through the Community Development Block Grant Program funding; and

WHEREAS, the City of Reading acknowledges the responsibility to annually budget funds for maintenance and operation of the project facilities.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING that it agrees to comply with the requirements of the Community Conservation Partnerships Program Grant and the Department of Conservation and Natural Resources for the purpose of obtaining grant funds to rehabilitate the Barbey Playground.

PASSED COUNCIL _____, 2009

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

Memorandum

To: City Council
From: Tonya A. Butler, Esquire
Date: April 2, 2009
In re: Food Code Amendment

The attached Amendment amends the City of Reading Codified Ordinance, Health and Safety provisions: §10-1212.03.2, Application, and §10-1212.03.3, Fees, as follows:

First, the application section is amended to include a Fifty Dollar (\$50.00) processing fee. The City currently requires application/processing fees for other permit/licensing requests; for example, housing permit application fee and more recently, Sidewalk Vending License application fee. The Codes Department wishes to provide consistency in this area.

In addition, the Codes Department also wants to recoup some of the cost associated with the administrative and inspection functions necessary for the Health License. The Maximus study that the City obtained states that to process applications and conduct inspections, the City spends, for example, \$160 for a small restaurant and \$151 for a small grocery store. These costs are not all covered by the actual Health License itself because a number of applicants apply for health licenses and receive inspections but do not obtain the actual license leaving the Codes Department to bear that costs. If a person is denied, the Codes Office has done all of the required work but will not get any reimbursement. Such denials will become more prevalent with the limitation of the number of Sidewalk Vendors in the Downtown Improvement District. Also, there are times when applicants decide after they have applied for a license and received an inspection that they do not wish to open the business. Again, Codes has done the required work but will not recoup any reimbursement.

Second, this section is amended to allow applicants to apply for the Health License with the City of Reading Codes Enforcement Office as a whole as opposed to simply the City Health Officer. This change will allow the full time Administrators in the Codes Office to serve the public as required.

Finally, the fees section of the Ordinance is amended to change the term mobile vending unit to mobile food facility and to add stationary vendor to the term small restaurant. This change was done to make the Ordinance more inclusive of all of the differing vendors: mobile, sidewalk and stationary.

BILL NO. _____-2009
AN ORDINANCE

AMENDING THE CITY OF READING CODIFIED ORDINANCES SECTION 10-1212.03.2 ADDING NECESSARY LANGUAGE TO ESTABLISH AN APPLICATION FEE FOR ALL FOOD VENDORS IN THE CITY OF READING

SECTION 1. Amending the City of Reading Codified Ordinances Section 10-1212.03.3 as follows:

§10-1212.03.2. Application.

Prior to commencement of operation of a facility governed by this Part, the business owner thereof must apply for a Health License with the ~~Health Officer in the City of Reading Codes Enforcement Division Office~~ *City of Reading Codes Enforcement Office*. Such application will be a completed form prepared and provided by the ~~Health Officer or his/her designee~~ *City of Reading Codes Enforcement Office*, submitted thereto, and accompanied by the applicable fee, ~~\$10-1212.06. a Fifty Dollar (\$50.00) processing fee. Upon approval, the applicable fee as established in §10-1212.03.3., Fees, listed below, will further be required to obtain a Health License.~~

(Ord. 30-2007, 5/14/2007, §1)

§10-1212.03.3. Fees.

There is hereby established a schedule of fees to be paid before a Health License is issued to any food selling establishment or ~~mobile~~ vendor operating in the City.

SMALL RESTAURANT/ <i>STATIONARY VENDOR</i>	80 Per year
LARGE RESTAURANT	120 Per year
ITINERANT RESTAURANT	15 Per year
ANCILLARY RESTAURANT	15 Per year
SMALL GROCERY	100 Per year
LARGE GROCERY	125 Per year
SUPERMARKET	200 Per year
ONE ITEM WHOLESALE	100 Per year
MULTI-ITEM WHOLESALE	175 Per year
SMALL PROCESSING	80 Per year

LARGE PROCESSING	175 Per year
VENDING MACHINE (enclosed)	12 Per unit
VENDING MACHINE (public right of way)	20 Per unit
MOBILE VENDING UNIT <i>FOOD FACILITY</i>	100 Per unit
CATERING/COMMISSARY	45 Per year
BAKERY	50 Per Year
DELICATESSEN	80 Per Year

(Ord. 30-2007, 5/14/2007, §1)

SECTION 3. All other parts of the Ordinance remain unchanged.

SECTION 4. This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2009

President of Council

Attest:

City Clerk

(Council Office)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BILL NO__2009

AN ORDINANCE

THE COUNCIL OF THE CITY OF READING ENACTS THIS ORDINANCE AMENDING THE CITY OF READING CODIFIED ORDINANCES – CHAPTER 4 – PART 1 HISTORICAL DISTRICTS – SECTION 102 BY ADDING THE DEFINITION OF SATELITE DISH, ANTENA AND OTHER MODERN DEVICE AND CHAPTER 4 – PART 1 HISTORIC DISTRICTS BY ESTABLISHING GUIDELINES FOR THE INSTALLATION OF SATELLITE DISHES AND OTHER MODERN ACCESSORIES, DEVICES OR FIXTURES OF COMPARABLE SIZE IN HISTORIC DISTRICTS.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Adding new language in the City's Codified Ordinances Chapter 4, Part 1 Historical Districts Section 102 defining satellite dish, antenna, and other modern device as follows:

Satellite dish- A "dish" antenna that is one meter (39.37") or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service.

Antenna- An antenna that is one meter (39.97") or less in diameter or diagonal measurement and is designed to receive video programming service via MMDS (wireless cable). Such antennas may be mounted on masts to reach the height needed to establish line-of-sight contact with the transmitter.

Other Modern Device- Any other device communication or other utilized to assist in viewer's ability to receive video programming signals from direct broadcast satellites, multichannel multipoint distribution (MMDS), and television broadcast stations (TVBS)

SECTION 2. Establishing the following guidelines for the placement of satellite dishes in historic districts:

a. Installation-No satellite dishes, antenna, or other similar modern device shall be installed or placed in front yards, front of buildings or along their facades within historic districts. All satellite dishes, antenna, or other similar modern devices shall be located to the rear of the main dwelling unit. Antenna and satellite dishes may be installed in the rear or on the roof of the main dwelling unit. A roof mounted satellite dish or antenna shall not be visible from the public right of way.

b. Exceptions- Satellite dishes may be installed in front of buildings in the historic district only if no other means of reception can be provided. In such cases, the owner or tenant of the property shall seek the issuance of a certificate of appropriateness as required in section 107 of the Historical District Ordinance. Such satellite dishes shall be installed to be unobtrusive and shall be screened from view through the use of landscaping, fencing and/or architectural building features. The Building Inspector and Historic Preservation Specialist shall approve the installation to ensure there is no disruption to the historic nature and aesthetic value of the district.

c. Removal-Any satellite dishes installed in the front of buildings before the enactment of this ordinance shall be removed to meet the requirements of the ordinance **within ninety (90) days of the effective date of this ordinance** if ~~and when the device requires replacement or when the owner or tenant who installed the device no longer inhabits the property.~~

SECTION 3. This ordinance shall become effective within ten (10) days of the date of passage and approval by the Mayor or override of the Mayor's veto.

Enacted _____, 2009

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BILL NO. _____-2009

AN ORDINANCE

AMENDING CHAPTER 11 HOUSING OF
THE CITY OF READING CODIFIED ORDINANCES

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 11 entitled Housing is amended as follows:

SECTION 11-102 DEFINITIONS is hereby amended to added or amend the following terms and definition:

LEASE - See Rent

LET - See Rent

PERMIT - registration of a property as a rental unit

RENT - compensation for providing a shelter or lodging for occupation or habitation by humans to reside, monetary or non-monetary

RENTAL UNIT - a rooming unit or dwelling unit let for rent, a non-owner occupied rooming or dwelling unit, or a dwelling unit occupied by an owner and additional unrelated individuals. A rental unit shall not include a hotel unit. A rental unit includes dwelling units under lease-purchase agreements or long-term (greater than six (6) months) agreements of sale.

SECTION 11-104 APPLICATION FOR PERMIT is hereby amended as follows:

§11-104 APPLICATION FOR REGISTRATION OF A ~~PERMIT~~ RENTAL

Application for and registration of a rental ~~permit~~ property for a dwelling unit or a rooming unit shall be made in writing on forms prepared and provided by the City of Reading ~~Codes Enforcement Division~~ Property Maintenance Division and shall be accompanied by payment of the applicable ~~permit~~ registration fee. Such forms shall require, but not shall not be limited to, the following information and shall be signed and sworn to by the owner of such dwelling unit or rooming unit:

11-104(8) requiring production of a copy of a Business Privilege License under which the owner rents the dwelling unit or rooming unit and reporting gross receipts therefrom is hereby deleted from the requirements for an application for a ~~Housing Permit~~ Rental Registration. Said removal shall not preclude the City of Reading Department of Finance Tax Division from investigating, requiring and prosecuting an owner, where necessary, to obtain a Business Privilege License pursuant to the City of Reading Codified Ordinances upon receipt of information from the Property Maintenance Division of the City of Reading of a rental of a property.

11-104(9) and (10) requiring proof of valid contract with a state licensed trash hauler or participation on the City of Reading trash collection program and recycling program are hereby deleted from the requirements of an application for a ~~Housing Permit~~ Rental Registration. Said removal shall not preclude the City of Reading Department of Public Works Solid Waste Division from investigating, requiring and prosecuting where necessary a property owner for failure to have a valid trash hauler and participation in the City of Reading recycling program pursuant to the City of Reading Codified Ordinances upon receipt of information from the Property Maintenance Division of the City of Reading of a rental of a property.

11-104(13) requiring production of a proof of insurance from an insurer licensed by the Commonwealth of Pennsylvania for the property is hereby deleted from the requirements for an application for a ~~Housing Permit~~ Rental Registration. Said removal shall not preclude the City of Reading Department of Community Development Building and Trades Division or Department of Fire and Rescue Fire Prevention Division from requesting insurance information for the property upon necessity therefor.

SECTION 11-105 RENEWAL OF RENTAL PERMIT is hereby amended as follows:

§11-105 RENEWAL OF RENTAL ~~PERMIT~~ RENTAL REGISTRATION

It shall be the responsibility of the owner of the dwelling unit or rooming unit to request and submit an application for renewal of a Rental ~~Permit~~ Registration. Rental Registrations for 2008 and 2009 will be jointly issued and processed by the City of Reading Property Maintenance Division. The owner of every dwelling unit or rooming unit must renew his/her/their Rental ~~Permit~~ Registration for each such dwelling unit or rooming unit for 2008 and 2009 by September 1, 2009. An application for renewal of a rental ~~permit~~ registration for 2008 and 2009 with the requisite fees may be submitted between July 1, 2009 and

August 31, 2009. All renewal applications for 2008 and 2009 received after the first of September, 2009 shall be subject to revocation of the rental permit and/or doubling of the fee set forth herein. In addition, failure to pay/renew a rental permit by December 1, 2009 will result in submission of the bill and account for a rental ~~permit~~ registration to collections for recovery. The owner of every dwelling unit or rooming unit must renew his/her/their/its Rental Registration for each such dwelling unit or rooming unit for 2010 by April 1, 2010. An application for renewal of a rental registration for 2010 with the requisite fees may be submitted between February 1, 2010 and March 31, 2010. All renewal applications for 2010 received after the first of April, 2010 shall be subject to revocation of the rental permit and/or doubling of the fee set forth herein. In addition, failure to pay/renew a rental permit by April 1, 2010 will result in submission of the bill and account for a rental ~~permit~~ registration to collections for recovery. Commencing for renewal of a Rental Registration for 2011 and each year thereafter, the owner of every dwelling unit or rooming unit must renew his/her/their/its Rental ~~Permit~~ Registration for each such dwelling unit or rooming unit for said year by the first business day after the first of January of said year. An application for renewal of a rental ~~permit~~ registration for 2011 and each subsequent year with the requisite fees may be submitted between November 1 and December 31 of the applicable year. All renewal applications for 2011 and subsequent years received after the first business day in January of the applicable year shall be subject to revocation of the rental permit and/or doubling of the fee set forth herein. In addition, failure to pay/renew a rental permit by March 1 of the applicable year will result in submission of the bill and account for a rental ~~permit~~ registration to collections for recovery. To renew a rental ~~permit~~ registration the owner must complete the an application for renewal on the form prepared and provided by the ~~Codes Enforcement Division~~ Property Maintenance Division and pay the applicable fee. Except as set forth in this Part, on a not less than 3 no more than 5 year basis, renewal of a rental ~~permit registration~~ is not subject to an inspection. An application for renewal of a rental ~~permit registration~~ may be denied resulting in nonrenewal of the ~~permit registration~~ as set forth herein. Failure of the owner to renew a permit will be considered a surrendering and revocation of the rental ~~permit registration~~ and will require vacation of all occupants/tenants of the dwelling unit or rooming. To obtain a rental ~~permit registration~~ after its surrender and revocation, the owner will have to submit a new initial application and undergo the requirements thereof. Any waiver of such requirements is at the discretion of the ~~Codes Enforcement Division~~ Property Maintenance Division Administrator or his/her designee.

SECTION 11-109 INSPECTON is hereby amended as follows:

A. INITIAL APPLICATION

Except as provided herein, all properties for which a Rental Registration is submitted from 2007 through 2014 shall not be required to undergo an inspection to be registered as a rental property. Properties which have historically, within the last five (5) years, been owner-occupied and not registered rental properties shall be required to undergo an inspection as part of the initial application to register as a rental property. This provision shall not include registered rental properties from continuing to undergo an inspection pursuant to the City of Reading Rental Inspection Program including but not limited to renewal inspections, routine inspections and complaint inspections nor a Health and Safety Inspection pursuant to the City of Reading Codified Ordinances upon transfer of a property.

If an initial application inspection is required pursuant to the provisions of this Part and the City of Reading Rental Property Inspection Program, then all other portions of §11-109(A) shall remain in full force and effect.

B. RENEWAL INSPECTIONS

An inspection of a dwelling unit or rooming unit shall be performed on a rotating basis commencing in 2009 not less than three (3) years nor more than five (5) years, per the City of Reading Rental Property Inspection Program.

If a renewal inspection is required pursuant to the provisions of this Part and the City of Reading Rental Property Inspection Program, then all other portions of §11-109(B) shall remain in full force and effect.

SECTION 11-119 OFFICIAL NOTICES is hereby amended as follows:

All official notices, *excluding notice of inspection*, including but not limited to Notices of Violations relating to a dwelling unit or rooming unit shall be served on the owner with a copy to local responsible agent. All official notices, *excluding notice of inspection which shall be in the manner set forth herein*, shall be by first class mail to address of record of the owner and local responsible agent and posting of the dwelling unit or rooming unit.

SECTION 11-123 VIOLATIONS AND PENALTIES is hereby amended as follows:

E. PLACARDING AND CONDEMNING

The City of Reading Property Maintenance Division is hereby authorized to placard and condemn thereby requiring the immediate vacation, or within the discretion of the Property Maintenance Inspector a reasonable amount of time vacation, of a property that is being rented for which a registration therefor has not been filed with the Property Maintenance Division as required by this Ordinance.

PART E. NONEXCLUSIVE REMEDIES IS RENUMBER TO PART F.

SECTION 2: All references to Housing Permit, Housing Rental Permit or Rental Permit shall be amended and changed to Rental Registration or Rental Housing Registration.

SECTION 3: All references to Codes Enforcement Division shall be amended and altered to be Property Maintenance Division.

SECTION 4: All references to Manager of Code or Codes Enforcement Division shall be amended and altered to read Administrator of the Property Maintenance Division.

SECTION 5: All relevant ordinances, regulations, remaining sections of Chapter 11 Housing – Rental Ordinance and policies of the City of Reading, Pennsylvania not amended hereby shall remain in full force and effect.

SECTION 6: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 7: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2009

Council President

Attest:

City Clerk

(LAW)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

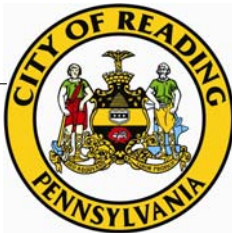
Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____



CITY OF READING, PENNSYLVANIA

City of Reading Charter Board
P.O. Box 12149
READING, PA 19612

SUSAN J. GIBSON
CHAIRPERSON

March 9, 2009

Dear Council President Spencer,

The City of Reading Charter Board desires to amend the Charter Board Ordinance. As outlined in the attached submission, we propose changing the existing language of Section V (A) (2) (c), pertaining to the withdrawal of complaints. Presently, the Ordinance provides that a complainant may withdraw his or her complaint at any time after submission and no further action will be taken. Recent experience has demonstrated the advisability of modifying this provision in a manner that would limit the withdrawal of complaints to the time period between submission and conclusion of the preliminary investigation by the Investigative Officer. The effect of the proposed amendment is to limit the ability of the private complainant to withdraw his/her complaint after there has been a finding by the Investigative Officer that the complaint has merit.

The primary reasons for this amendment are two-fold:

- 1) By limiting the ability of the private individual to withdraw, he or she cannot be pressured into ending what has proven, at least so far, to be a meritorious complaint. By removing private individuals from this pressure, complaints are allowed to proceed through a full, thorough, and professional investigative mechanism without being cut short for reasons unrelated to their merits.
- 2) The proposed amendment clarifies the true relationship between the complainant and the complaint. The complainant's role is solely that of an initiator of the investigative process – one who alerts the Investigative Officer that a Charter violation may have occurred. Once probable cause has been found, it is the Investigative Officer who owns the process, pursuing a possible violation in the public interest. As a public official pursuing a public wrong, the Investigative Officer should not be required to cease a meritorious investigation simply because a private individual, for whatever reason, chooses to withdraw the complaint.

The Board appreciates Councils' due consideration of this proposed Amendment. Please don't hesitate to contact me should further clarification be necessary or helpful.

Sincerely,
Susan J. Gibson
City of Reading Charter Board

BILL NO. _____-2009
AN ORDINANCE

AMENDING THE CITY OF READING CHARTER BOARD ORDINANCE
SECTION V (A) (2) (c)

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City of Reading Charter Board Ordinance is hereby amended by replacing the existing first sentence of Section V (A) (2) (c) with the following underlined new language:

The complainant may withdraw his or her complaint at any time between the complainant's submission of the complaint and the conclusion of the preliminary investigation by the Officer. If the complaint is withdrawn within the time period provided, no further action will be taken respecting that complaint. Such withdrawal shall be in writing and contain a notarized signature. If a preliminary investigation has already been initiated, the subject of the investigation shall be immediately notified of the withdrawal. The individual's withdrawal of a complaint does not preclude further action by the Board on its own motion.

SECTION 2. All other sections, parts and provisions of the City of Reading Charter Board Ordinance, including the remainder of Section V (A) (2) (c), shall remain in full force and effect as previously enacted and amended.

SECTION 3. In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of City Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect ten (10) days after adoption in accordance with City of Reading Home Rule Charter, as amended, Sections 219 and 221.

Enacted _____, 2009

President of Council

Attest: _____
City Clerk

(Charter Review Board)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

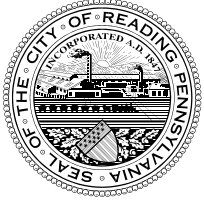
Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____



AGENDA MEMO

Community Development

TO: PRESIDENT SPENCER & CITY COUNCIL
PREPARED BY: MARTY MAYES, CD DIRECTOR
MEETING DATE: March 23, 2009
AGENDA MEMO DATE: March 12, 2009
REQUESTED ACTION: Create Zoning Inspector position

BACKGROUND:

After substantial observation it has become apparent that a Zoning Inspector is needed. A Zoning Inspector is responsible for investigating complaints and violations of zoning regulations, and for providing information to the public on zoning requirements in the field or at the zoning office. The Zoning Inspector will be responsible for reviewing; assessing and processing zoning permit applications. An employee in this class has authority to request the removal or alteration of conditions which violate zoning criteria. Field inspectional duties are conducted independently in accordance with zoning regulations. Work is performed under general supervision and is subject to the review of the Zoning Administrator.

Discussion/Analysis:

- Reviews, assesses and processes zoning permit applications and will be authorized to sign permit applications.
- Performs inspections of residential, commercial and industrial properties, as required, to ensure conformance with the City of Reading Codified Zoning Ordinances.
- Provides zoning interpretations, plan reviews, and other essential information to the general public about building zoning requirements and inspection procedures including building setback requirements, and parking as regulated by the zoning ordinance.
- Investigates complaints regarding zoning issues that may include violations, determines their validity and initiates appropriate follow up activities.
- Upon notice from the Zoning Administrator will issue Stop Work Orders associated with work, use or occupancy of any building, structure, sign, land or premise that is contrary to the zoning regulations.

- Upon notice from the Zoning Administrator will assist in the issuance of Enforcement notices on the location or action that has incurred the violation.
- Assist in representing the City of Reading Zoning office at enforcement hearings.
- Inspects new and existing residences, businesses, schools and other buildings for conformance with required zoning standards.
- Coordinate inspection activities with other City departments and public agencies as needed.
- Responds to questions and complaints regarding zoning regulations and zoning compliance requirements.
- Utilize Hansen database system as required by zoning.
- Perform other duties as determined by the Zoning Administrator.

BUDGETARY IMPACT: -\$34.00

PREVIOUS ACTION:

This job description for this position was submitted AFSCME Local 2763 in November 2008. They notified the Human Resources Department of their approval.

SUBSEQUENT ACTION: None

RECOMMENDATION:

The administration requests the City Council create Zoning Inspector position.

RECOMMENDED MOTION:

Approve the attached ordinance that includes the creation of Zoning Inspector position, and eliminate one PMI position.

BILL NO. _____-2009
AN ORDINANCE

**AN ORDINANCE AMENDING THE FULL-TIME EMPLOYEE POSITIONS FOR
THE CITY OF READING FOR THE FISCAL YEAR 2009.**

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Full-Time positions for the City of Reading's fiscal year beginning January 1, 2009, and ending December 31, 2009, shall be as set forth in Exhibit A attached hereto and made a part hereof.

SECTION 2. Amending the Zoning Department to add 1 (one) new Zoning Inspector position, and eliminate one PMI position.

SECTION 3. This Ordinance shall become effective 10 days from the passage of Council.

Enacted _____, 2009

President of Council

Attest:

Linda Kelleher, City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

**City of Reading
Listing of Positions
For the 2009 Operating Budget**

<i>Division</i>	<i>Position Title</i>	<i>2009 # of Employees</i>
Mayor		
	Administrative Assistant To The Mayor	1
	Executive Assistant To The Mayor	1
	Mayor	1
		<hr/> 3
Managing Director		
	Managing Director	1
	Executive Secretary/ Admin Aide	1
		<hr/> 2
Call Center		
	Call Center Manager	1
	Customer Service Representatives	3
		<hr/> 4
Neighborhood Development		
	Neighborhood Development Manager	0
		<hr/> 0
Human Relations Commission		
	HRC Director	1
	HRC Clerks	2
	Secretary	1
		<hr/> 4
City Auditor		
	City Auditor	1
	Auditing Coordinator	1
		<hr/> 2
City Council		
	Council President	1
	Council Member	6
	Assistant City Clerk	1
	Administrative Assistant	1
	City Clerk	1
		<hr/> 1

		10
Treasurer		
	Clerk Typist II	3
	Chief Clerk	1
		<hr/> 4
Finance Director		
	Confidential Secretary	1
	Finance Director	1
	Grant Writer	1
	Floater - Finance	1
		<hr/> 4
Purchasing		
	Purchasing Coordinator	1
		<hr/> 1
Accounting		
	Accounting & Treasury Manager	1
	Accountant	1
	Pension Administrator	1
	Revenue Accountant	1
	Accounting Clerk	1
		<hr/> 5
Tax Administration		
	Budget/Tax Manager	1
	Tax Supervisor	1
	Tax Examiner	1
	EIT Analyst	1
	Tax Specialist	1
	Accounts Coordinator	1
	Secretary	1
	Delinquent Tax Collector	1
	Tax Clerk I	2
	Tax Clerk II	3
	Clerk Typist II	1
		<hr/> 14
Information Technology		
	GIS Analyst - Sewer	0
	GIS Coordinator	1
	Application Specialist	1
	Network Analyst	1
	Developer	1
	Web Developer	1

	System Support Analyst	1
	IT Manager	1
	Lead Developer	1
		<hr/>
		8
HR-Personnel/Pension		
	Payroll Clerk	1
	HR Floater	1
	Light Duty Position	1
	Diversity and Information Officer	1
	Human Resources Director	1
	Human Resources Supervisor	1
	Human Resources Coordinator	0
	Human Resources Coordinator - Pension	0
	Human Resources Coordinator - Benefits	1
		<hr/>
		7
Mailroom		
	Mailroom Clerk	1
		<hr/>
		1
Solicitor		
	Solicitor	1
	Confidential Secretary	1
	Executive Secretary/ Admin	
	Aide/Paralegal	1
	Legal Specialist	2
		<hr/>
		5
Public Works		
	Confidential Secretary	1
	Public Works Director	1
		<hr/>
		2
Garage		
	Maintenance Mechanic	7
	Maintenance Worker I/Parts Person	1
	Secretary	1
	Small Engine Repairperson	1
	Foreman	1
		<hr/>
		11
Engineering		
	Traffic Planner	1
	Engineering Aide IV	1
	Engineering Aide III	1
	Secretary	1
		<hr/>

		4
Traffic Engineering		
	Equipment Operator II	1
	Traffic Engineering Technician	1
	Maintenance Worker I/Signmaker	1
	Equipment Operator I	1
		<hr/> 4
Highways		
	Equipment Operator II	14
	Secretary	0
	Foreman	1
	Operations Division Manager	0
		<hr/> 15
Parks		
	Custodian II	1
	Equipment Operator II	2
	Equipment Operator III	3
	Foreman	2
	Maintenance Worker I	2
	Maintenance Worker II	2
	Maintenance Worker III	3
	Operations Division Manager	1
	Secretary	1
		<hr/> 17
Recreation		
	Superintendent of Recreation	1
	Custodian III	0
	Secretary	0
	Recreation Supervisor	2
		<hr/> 3
Public Property		
	Foreman	2
	Tradesman	5
		<hr/> 7
Police - Criminal Investigations		
	Captain 3-3	1
	Criminal Investigator	26
	Lieutenant	1
	Police Officer	4
	Police Officer/FTO	0
	Court Liason	0

	Sergeant	7
		<hr/> 39
Police - Special Services		
	Lead Clerk/Trainer	1
	Police Officer	1
	Police Officer/FTO	1
	Telecommunicator Supervisor	1
	Telecommunicator I	1
	Telecommunicator II	13
	Records Clerk	5
	Records Operations Supervisor	1
	TAC Officer	1
	Lieutenant	2
	Secretary - Police Academy	1
	Sergeant	3
	CCTV System Monitor	1
	Shift Supervisor	1
		<hr/> 33
Police - Patrol		
	Captain	2
	Clerk Typist I	1
	Lieutenant	4
	Police Officer	127
	Police Officer/FTO	6
	Sergeant	18
		<hr/> 158
Police - Patrol PMI		
	PMI Administrator	1
	Chief Clerk	1
	PMI Supervisor	3
	Health and Safety Clerks	3
	Health and Safety Inspectors	0
	Health Inspector II	0
	Property Maintenance Inspector	15
		<hr/> 23
Police - Administration		
	Chief of Police	1
	Deputy Chief of Police	1
	Confidential Secretary	1
	Lieutenant	1
	Sergeant	1

	Inspector	1
		<hr/> 6
Fire Administration		
	Clerk Typist II	1
	Administrative Officer	1
	Fire Chief	1
	First Deputy Chief	4
		<hr/> 7
Fire Bargaining Unit		
	LT Fire Prevention Officer	2
	Fire Marshal	1
	Lt Fire Training Officer	1
		<hr/> 4
Fire Suppression		
	Second Deputy Chief	4
	Firefighter IV	87
	Firefighter III	10
	Firefighter II	0
	Firefighter I	11
	LT Fire Suppression Officer	4
		<hr/> 116
Fire EMS		
	Deputy Chief/EMS Mgr	1
	EMS Lieutenant	4
	Paramedic	20
	Transport Coordinator	1
	Wheelchair Van Driver	3
		<hr/> 29
CD Planning		
	Planner I	0
	Planner III	1
		<hr/> 1
CD - Zoning		
	Zoning Technician	1
	Zoning Officer	1
	Zoning Inspector	1
		<hr/> 3
CD - Trades		
	Secretary	1
	Plumbing Inspector	1
	Building Inspector	1

	Electrical Inspector	1
	HVAC Inspector	1
		<hr/> 5
CD - Administration		
	CD Specialist II	1
	Property Improvement Division Manager	1
	Codes Administrator	0
	Zoning Administrator	1
	Zoning Deputy Administrator	0
	Building Official	1
		<hr/> 4
CD - HUD		
	CD Specialist II	0
	CD Specialist III	1
	CD/Hist Preserv Specialist	1
	Community Development Director	1
	Confidential Secretary	1
	Fiscal Officer	1
	Rehab Specialist	1
		<hr/> 6
Library Administration		
	Director of Libraries	1
	Assistant Director of Libraries	2
		<hr/> 3
Library - Circulation		
	Librarian I	1
	Librarian II	1
	Librarian III	1
	Library Technician II	3
	Library Technician III	4
		<hr/> 10
Library - Reference		
	Bookmobile Operator	1
	Head Custodian	1
	Librarian II	4
	Librarian III	1
	Librarian Tech II	1
	Maintenance Worker II	1
		<hr/> 9
Library - Children Services		
	Librarian II	0

	Library Technician II	0
	Library Technician III	1
		<hr/> 1
Water Administration		
	Foreman	1
	Customer Service Rep.	2
	GIS/CAD Technician	1
	Engineering Aide III	1
	Distribution Engineer	1
		<hr/> 6
Water Collection		
	Equipment Operator I	1
	Equipment Operator II	1
	Equipment Operator III	1
	Foreman	1
	Maintenance Worker II	6
	Superintendent	1
		<hr/> 11
Water Purification		
	Centrifuge Oper. I.	1
	Chemist	0
	Lab Technician	1
	Chief Operator	1
	Clerk Typist II	1
	Foreman	1
	Lab Supervisor/Bact.	1
	Maintenance Worker II	5
	Tradesman	1
	Water Plant Oper. I	0
	Water Plant Oper. II	4
		<hr/> 16
Water Distribution		
	Equipment Operator II	3
	Field Investigator	3
	Foreman	3
	Foreman - Meter	1
	Foreman - Mechanic	0
	Foreman - Crew	1
	Foreman - Main Crew	2
	Foreman - Service Crew	2
	Maintenance Mechanic II	1

	Maintenance Worker II	9
	Maintenance Worker III	5
	Superintendent	1
		<hr/>
		31
Self - Insurance		
	Risk and Safety Coordinator	1
	OCIP Coordinator	1
		<hr/>
		2
Sanitary Sewers		
	System Superintendent	1
	Foreman	2
	Equip Op II	15
	Maint Worker III	1
	Engineer Aide IV	0
	Engineer Aide III	1
		<hr/>
		20
WWTP		
	Maint Supv	1
	Belt Press Op I	3
	Cert Oper/Shift Sup	6
	Chemist	0
	Operations Supv	1
	Elec/Elect Field Eng	1
	Elec/Inst Tech	1
	Utilities Div Manager/Environ	1
	Utility Engineer	1
	Utility Clerk Typist	1
	Env Prog Coord	1
	Equip Op II	1
	Lab Supv	1
	Lab Tech	5
	Maint Worker II (Mech)	3
	Maint Worker III	4
	Pump Tender (Fritz Is)	4
	Secretary	1
	Serv Utility Person	7
	Sew Plant Op I (6th St.)	4
	Sew Plant Op I (Fritz Is)	2
	Sew Plant Op II (Fritz Is)	2
	Superintendent	1
	Tradesman (Elec)	2
		<hr/>

		54
Recycling	Chief Clerk	0
	Solid Waste Supervisor	1
	Clerk Typist II	1
	Solid Waste	
	Coordinator/Environmental	1
		<hr/>
		3
<i>Number of Full Time Employees</i>		<u><u>737</u></u>

BILL NO. _____-2009

A N O R D I N A N C E

**AUTHORIZING THE MAYOR TO EXECUTE A DEED THEREBY CONVEYING
A CERTAIN PORTION OF PREMISES SITUATE AT 527 OLEY ST., READING,
BERKS COUNTY, PENNSYLVANIA.**

WHEREAS, the City of Reading is the legal owner of property situate at 527 Oley Street, Reading, Berks County, Pennsylvania; and

WHEREAS, 527 Oley Street abuts a certain premises situate at 731 Church Street, Reading, Berks County, Pennsylvania; and

WHEREAS, the improvement/structure located at 731 Church Street has a width of eighteen and two tenths feet (18.2') despite a recorded legal deed descriptive premises' width of thirteen feet four inches (13' 4"); and

WHEREAS, the City of Reading intends to convey said premises.

**NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY
ORDAINS AS FOLLOWS:**

1. **SECTION 1.** The Mayor is authorized to execute a deed, and any other required documents, to convey a portion of premises situate at 527 Oley Street, Reading, Berks County, Pennsylvania.

SECTION 2. This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2009

President of Council

Attest:

City Clerk

(LAW DEPT.)

BILL NO. _____ 2009

AN ORDINANCE

**AN ORDINANCE AMENDING THE FY 2006-2012 CAPITAL IMPROVEMENT PLAN
FOR THE CITY OF READING.**

SECTION 1. The City Council amends the FY 2006-2012 Capital Improvement Program totaling \$16,509,151.00 of debt funding, by providing for improvements to City Council Chambers in the amount of \$50,000 for a new program total of \$16,559,151.00.

SECTION 2. The proposed amendments are set forth in Exhibit A, as attached hereto and made a part hereof.

SECTION 3. This ordinance shall become effective ten (10) days after its adoption, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2009

President of Council

Attest:

City Clerk

EXHIBIT A

**CITY OF READING
CAPITAL IMPROVEMENTS PROGRAM
FY 2006 - FY 2012**

PROJECT	YEAR	PROJ. COST	DEBT FINANCING	EXPENDITURES TO DATE	BALANCE	AMENDMENT	NEW BUDGET	STATUS	
2006									
RESCUE 1	2006	\$450,000.00	\$450,000.00	\$462,441.00	(\$12,441.00)	\$12,441.00	\$462,441.00	COMPLETED	
RECOVERY	2006	\$1,250,000.00	\$1,250,000.00	\$1,252,025.00	(\$2,025.00)	\$2,025.00	\$1,252,025.00	COMPLETED	
Power Source	2006	\$67,000.00	\$67,000.00	\$16,900.00	\$50,100.00	\$0.00	\$67,000.00	IN PROGRESS	
S SYSTEM FOR CITYWIDE*	2006	\$3,000,000.00	\$750,000.00	\$91,779.00	\$658,221.00	(\$568,221.00)	\$181,779.00	IN PROGRESS	
BROOK FIRE STATION	2006	\$1,500,000.00	\$1,500,000.00	\$428,058.00	\$1,071,942.00	\$2,000,000.00	\$3,500,000.00	IN PROGRESS	
CLASSROOM ADDITION	2006	\$52,000.00	\$52,000.00	\$0.00	\$52,000.00	\$200,000.00	\$252,000.00	IN PROGRESS	
PROPERTY CITY HALL ROOF	2006	\$100,000.00	\$100,000.00	\$7,000.00	\$93,000.00	\$0.00	\$100,000.00	IN PROGRESS	
e Lighting Repairs	2006	\$87,000.00	\$87,000.00	\$0.00	\$87,000.00	\$0.00	\$87,000.00	IN PROGRESS	
ALT BRINE EQUIPMENT	2006	\$50,000.00	\$50,000.00	\$33,393.00	\$16,607.00	(\$16,607.00)	\$33,393.00	IN COMPLETED	
WEST BRANCH REPAIRS	2007	\$60,000.00	\$60,000.00	\$17,000.00	\$43,000.00	\$0.00	\$60,000.00	IN PROGRESS	
E ROOM EXPANSION	2006	\$200,000.00	\$200,000.00	\$10,472.00	\$189,528.00	\$50,000.00	\$250,000.00	IN PROGRESS	
PROPERTY STADIUM HIGH MAST REPLACEMENT	2006	\$152,000.00	\$152,000.00	\$115,290.00	\$36,710.00	(\$36,710.00)	\$115,290.00	IN COMPLETED	
BAER PARK PLAYGROUND RENOVATION	2006	\$100,000.00	\$50,000.00	\$3,975.00	\$46,025.00	\$0.00	\$50,000.00	IN PROGRESS	
	2006	\$100,000.00	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$100,000.00	COMPLETED	
		\$7,168,000.00	\$4,868,000.00	\$2,538,333.00	\$2,329,667	\$1,642,928	\$6,510,928.00		
2007									
ENGINE 14	2007	\$475,000.00	\$475,000.00	\$473,538.00	\$1,462.00	(\$1,462.00)	\$473,538.00	IN COMPLETED	
n Camera Network	2007	\$1,785,000.00	\$390,000.00	\$91,560.00	\$298,440.00	\$0.00	\$390,000.00	IN PROGRESS	
RANCH RENOVATION	2007	\$140,000.00	\$140,000.00	\$0.00	\$40,000.00	(\$100,000.00)	\$40,000.00	IN	

								PROGRESS
CITY PARK RENOVATION	2007	\$1,050,000.00	\$1,500,000.00	\$49,504.00	\$1,450,496.00	\$0.00	\$1,500,000.00	COMPLETED
RASH COMPACTOR TRUCK	2007	\$120,000.00	\$120,000.00	\$103,394.00	\$16,606.00	(\$16,606.00)	\$103,394.00	COMPLETED
PROPERTY BANDSHELL REHABILITATION	2007	\$80,000.00	\$80,000.00	\$45,337.00	\$34,663.00	\$0.00	\$80,000.00	IN PROGRESS
PROPERTY Pagoda Renovations	2007	\$1,443,900.00	\$1,443,900.00	\$100,468.00	\$343,432.00	\$0.00	\$1,443,900.00	IN PROGRESS
DUMP TRUCK	2007	\$110,000.00	\$110,000.00	\$64,615.00	\$45,385.00	(\$64,615.00)	\$45,385.00	COMPLETED
BAER PARK PLAYGROUND RENOVATION	2007	\$100,000.00	\$50,000.00	\$3,975.00	\$46,025.00	\$0.00	\$50,000.00	IN PROGRESS
Hillside Playground Renovation	2007	\$70,000.00	\$60,000.00	\$2,230.00	\$57,770.00	(\$57,770.00)	\$0.00	IN PROGRESS
VE WALL REPAIR	2007	\$171,500.00	\$171,500.00	\$0.00	\$171,500.00	\$0.00	\$171,500.00	IN PROGRESS
ENGINEERING BUCKET TRUCK	2007	\$70,000.00	\$70,000.00	\$21,740.00	\$48,260.00	(\$48,260.00)	\$21,740.00	COMPLETED
SCHLEGEL PARK POOL REPLASTER/TILE	2007	\$150,000.00	\$150,000.00	\$202,100.00	(\$52,100.00)	\$52,100.00	\$202,100.00	COMPLETED
ENGINEERING HANDICAP RAMPS	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00	CDBG
PROPERTY 6 & PENN COURTYARD UPGRADE	2007	\$120,000.00	\$120,000.00	\$0.00	\$12,000.00	\$0.00	\$120,000.00	IN PROGRESS
PROPERTY ATHLETIC FIELD LIGHTING	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00	CDBG
ark Pond Remediation & Water Feature	2007	\$230,000.00	(\$230,000.00)	\$0.00	\$0.00	(\$230,000.00)	\$0.00	CDBG
GE OVERHEAD LUBRICATION SYSTEM	2007	\$114,666.00	\$114,666.00	\$0.00	\$114,666.00	\$0.00	\$114,666.00	IN PROGRESS
		\$6,330,066.00	\$4,665,066.00	\$1,158,461	\$2,628,605	(\$566,613)	\$4,756,223.00	
2008								
STREET FIRE STATION	2008	\$2,500,000.00	\$2,500,000.00	\$0.00	\$2,500,000.00	(\$2,500,000.00)	\$0.00	DELETED
PROPERTY STADIUM FIELD LIGHTING UPGRADES	2007	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	\$0.00	\$60,000.00	IN PROGRESS
PROPERTY STADIUM HIGH MAST PAINTING	2007	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	\$0.00	\$50,000.00	IN PROGRESS
PROPERTY CITY HALL BRASS RESTORATION	2007	\$75,000.00	\$75,000.00	\$0.00	\$75,000.00	(\$75,000.00)	\$0.00	DELETED
URNISHINGS	2007	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	(\$60,000.00)	\$0.00	DELETED
3rd & SPRING PLAYGROUND RENOVATION	2008	\$160,000.00	(\$80,000.00)	\$0.00	\$0.00	(\$80,000.00)	\$0.00	CDBG
BAER PARK FIELD HOUSE RENOVATION	2008	\$100,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00	CDBG
	2008	\$126,000.00	\$126,000.00	\$0.00	\$126,000.00	\$0.00	\$126,000.00	IN PROGRESS

Angelica Nature Center	2008	\$1,000,000.00	\$1,000,000.00	\$0.00	\$1,000,000.00	\$0.00	\$1,000,000.00	
	2008	\$365,000.00	\$365,000.00	\$0.00	\$365,000.00	\$0.00	\$365,000.00	IN
y Hall	2008	\$30,600.00	\$30,600.00	\$0.00	\$30,600.00	(\$30,600.00)	\$0.00	PROGRESS
Roof for City Hall	2008	\$336,000.00	\$336,000.00	\$0.00	\$336,000.00	(\$336,000.00)	\$0.00	DELETED
a Drive Guard Rails	2009	\$230,000.00	\$230,000.00	\$0.00	\$230,000.00	\$0.00	\$230,000.00	DELETED
EDIA UPGRADE Council Chambers	2008	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	\$0.00	\$50,000.00	IN
		\$5,142,600.00	\$4,752,600.00	\$0.00	\$4,882,600.00	(\$3,131,600.00)	\$1,881,000.00	PROGRESS
2009								
FRONT END LOADER	2008	\$175,000.00	\$175,000.00	\$0.00	\$175,000.00	\$0.00	\$175,000.00	
TREET SWEEPERS	2007	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$300,000.00	
UCK LIFT	2008	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00	DELETED
INEERING HANDICAP RAMPS	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00	CDBG
HAMPDEN/MARION FIRE STATION	2009	\$2,500,000.00	\$2,500,000.00	\$0.00	\$2,500,000.00	(\$2,500,000.00)	\$0.00	DELETED
NORTHMONT PLAYGROUND RENOVATION	2009	\$160,000.00	(\$80,000.00)	\$0.00	\$0.00	(\$80,000.00)	\$0.00	CDBG
First Energy Stadium Repair	2009	\$26,000,000.00	\$1,300,000.00	\$0.00	\$1,300,000.00	\$0.00	\$1,300,000.00	IN
ge Repair	2009	\$450,000.00	\$450,000.00	\$0.00	\$450,000.00	\$0.00	\$450,000.00	PROGRESS
all Improvements	2009	\$150,000.00	\$150,000.00	\$0.00	\$150,000.00	\$0.00	\$150,000.00	
		\$29,835,000.00	\$4,795,000.00	\$0	\$4,925,000	(\$2,680,000)	\$2,375,000.00	
2010								
can Museum Site Preparation	2007	\$6,170,000.00	\$500,000.00	\$0.00	\$500,000.00	\$0.00	\$500,000.00	
EAST BRANCH REPAIRS	2008	\$70,000.00	\$70,000.00	\$0.00	\$70,000.00	\$0.00	\$70,000.00	IN
ROW IMPROVEMENTS	2008	\$250,000.00	\$200,000.00	\$0.00	\$200,000.00	(\$200,000.00)	\$0.00	PROGRESS
PERTY ATHLETIC FACILITIES LIGHTING	2008	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00	DELETED
INEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00	DELETED
T END LOADER	2009	\$120,000.00	\$120,000.00	\$0.00	\$120,000.00	(\$120,000.00)	\$0.00	CDBG
TREET SWEEPERS	2009	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	(\$300,000.00)	\$0.00	DELETED
RANCH EXPANSION	2010	\$8,000,000.00	\$2,000,000.00	\$0.00	\$2,000,000.00	(\$2,000,000.00)	\$0.00	DELETED
KEFFER PARK FIELD HOUSE RENOVATION	2008	\$100,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00	DELETED
c Portal	2008	\$286,000.00	\$286,000.00	\$0.00	\$286,000.00	\$0.00	\$286,000.00	CDBG
								IN
								PROGRESS

		\$15,396,000.00	\$3,426,000.00	\$0	\$3,526,000	(\$2,770,000)	\$856,000.00	
2011								
TREET SWEEPERS	2010	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	(\$300,000.00)	\$0.00	DELETED
NDMASTER TRACTOR	2010	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	\$0.00	\$50,000.00	
V Branch	2011	\$1,800,000.00	\$1,800,000.00	\$0.00	\$1,800,000.00	(\$1,800,000.00)	\$0.00	DELETED
PERTY ATHLETIC FACILITIES LIGHTING	2010	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00	DELETED
EAST BRANCH REPAIRS	2009	\$70,000.00	\$70,000.00	\$0.00	\$70,000.00	\$0.00	\$70,000.00	
ENGINEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00	CDBG
ENGINEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00	CDBG
Whitewater Park	2007	\$522,810.00	\$525,000.00	\$0.00	\$525,000.00	(\$525,000.00)	\$0.00	DELETED
PENDORA PARK FIELD HOUSE RENOVATION	2008	\$200,000.00	(\$100,000.00)	\$0.00	\$0.00	(\$100,000.00)	\$0.00	CDBG
MOBILE REPLACEMENT	2010	\$120,000.00	\$120,000.00	\$0.00	\$120,000.00	(\$120,000.00)	\$0.00	CDBG
ROW IMPROVEMENTS	2009	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00	DELETED
ROW IMPROVEMENTS	2010	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00	DELETED
PERTY STADIUM FIELD LIGHTING UPGRADES	2010	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	\$0.00	\$60,000.00	
		\$3,772,810.00	\$3,275,000.00	\$0	\$3,475,000	(\$3,495,000)	\$180,000.00	
		\$67,644,476.00	\$25,781,666.00	\$3,696,794	\$21,766,872	(\$11,000,285)	#####	

The estimated schedule for the drawing down of funds
for the remaining four years of the CIP is as follows:

Approximately \$13.2 million remains in eligible CIP projects.

The City of Reading would expend approximately \$3.3 million per year from the beginning of 2009 to the completion of the last CIP projects which are scheduled for 2011.

This annual expenditure translates into a monthly expenditure of approximately \$275,000 or approximately \$1.65 million every six months. While the CIP project list concludes in 2011 it is expected final completion of all projects would not occur until 2012.

gh mast replacement project is proposed to remain unscheduled until final determination of whether to renovate or re-locate Municipal Stadium is made.

t paving is budgeted every year, the magnitude of the effort is beyond the City's financial capacity, thus proposing State and Federal funding. The project financed, but the life of a road is less than 10 years making it a poor candidate for such funding.

BILL NO. _____-2009

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE A DEED, TEMPORARY EASEMENT FROM THE CITY OF READING TO THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, AND OTHER DOCUMENTS (AGREEMENT OF SALE & SETTLEMENT STATEMENT), THEREBY CONVEYING PREMISES SITUATE AT ROUTE 183, BERN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA.

WHEREAS, the City of Reading is the titled owner of premises situate along a certain portion of S.R. 183, Bern Township, Berks County, Pennsylvania (see attached exhibits); and

WHEREAS, the Commonwealth of Pennsylvania, Department of Transportation plans to make certain improvements in the vicinity of and/or on land owned by the City of Reading and has offered compensation to the City of Reading for a certain conveyance of certain land owned by the City of Reading (see attached exhibits); and

WHEREAS, the City of Reading intends to convey said subject premises in accordance with a certain agreement of sale (see attached exhibits),

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Mayor is authorized to execute a deed, temporary easement from the City of Reading to the Commonwealth of Pennsylvania, Department of Transportation, and other documents (agreement of sale and settlement statement) for premises situate at S.R. 183, Bern Township, Berks County, Pennsylvania, as well as any other required documents to complete the conveyance of subject premises in accordance with attached documents/exhibits for the consideration in the amount of \$49,000.00.

SECTION 2. This Ordinance shall be effective ten (10) days after City Council's passage and approval by the Mayor, or as otherwise provided by the City of Reading's Home Rule Charter.

Enacted _____, 2009

President of Council

Attest:

City Clerk

(LAW DEPT.)

BILL NO. _____

AN ORDINANCE

AN ORDINANCE AMENDING 1-271 OF THE CITY OF READING PERSONNEL CODE (Salary Administration) BY AMENDING THE SALARY RANGE FOR THE FINANCE DIRECTOR.

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS
AS FOLLOWS:**

SECTION 1. Section 1-271 (8) of the City of Reading Codified Ordinances (Personnel Code) shall be amended to read as follows:

- (a) Managing Director- the Managing Director of the City of Reading shall be compensated at an annual salary of no less than \$90,000 and no more than \$120,000.
- (b) Chief of Fire and Rescue Services- the Chief of the Department of Fire and Rescue Services for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$75,000.
- (c) Chief of Police- the Chief of Police for the City of Reading shall be compensated at an annual salary of no less than \$80,000 and no more than \$110,000.
- (d) Public Works Director- the Director of the Department of Public Works of the City of Reading shall be compensated at an annual salary of no less than \$70,000 and no more than \$85,000.
- (e) **Finance Director- the Director of the Department of Finance for the City of Reading shall be compensated at an annual salary of no less than 80,000 and no more than \$100,000.**
- (f) Human Resources Director- the Director of the Department of Human Resources of the City of Reading shall be compensated at an annual salary of no less than \$75,000 and no more than \$100,000.
- (g) City Solicitor- the director of the Legal Department for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$75,000.
- (h) Community Development Director- the Director of the Department of Community and Economic Development for the City of Reading shall be

compensated at a salary of no less than \$75,000 and no more than \$100,000.

SECTION 2. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 3. This Ordinance shall become effective immediately.

Enacted by Council_____, 2009

President of Council

Attest:

City Clerk

BILL NO. _____-2009

AN ORDINANCE

AN ORDINANCE OF THE CITY OF READING SETTING FORTH THE SALARY OF THE FINANCE DIRECTOR.

SECTION 1. COMPENSATION. The salary of the Finance Director, Carl Geffken shall be NINETY-EIGHT THOUSAND DOLLARS (\$98,000.00) per annum, payable in equal bi-monthly installments.

SECTION 2. BENEFITS. Carl Geffken shall receive benefits accorded to other non-union management/professional personnel of the City.

SECTION 3. REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective immediately after its adoption.

Passed Council _____, 2009

President of Council

Attest:

City Clerk

BILL NO. _____-2009
A N O R D I N A N C E

AMENDING THE CITY OF READING CODIFIED ORDINANCES BY CREATING A
NEW PART 20 - VACANT BUILDING REGISTRATION - IN CHAPTER 10 HEALTH
AND SAFETY ENFORCEMENT

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City of Reading Code of Ordinances is hereby amended by creating a new Part 20 Vacant Building Registration in Chapter 10 Health and Safety as attached in Exhibit A

SECTION 2. All other sections, parts and provisions of the City of Reading Code of Ordinances shall remain in full force and effect as previously enacted and amended.

SECTION 3. In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of City Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect ten (10) days after adoption in accordance with City of Reading Home Rule Charter, as amended, Sections 219 and 221.

Enacted _____, 2009.

President of Council

Attest: _____
City Clerk

(Councilor Waltman & Council Staff)
(PMD and LAW)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT A

PART 20 VACANT BUILDING REGISTRATION

§10—2001. PURPOSE AND ENFORCEMENT.

A. The purpose of this part requiring the registration of all vacant buildings and structures and the payment of registration fees is to assist the City in protecting the public health, safety and welfare, to monitor the number of vacant buildings and structures in the City, to assess the effects of the condition of those buildings on nearby businesses, buildings, structures, properties and the neighborhoods in which they are located, particularly in light of fire safety hazards and unlawful, temporary occupancy by transients, including illicit drug users and traffickers, and to require of the owners of such vacant buildings and structures to register and the pay related fees, and to promote substantial efforts to rehabilitate such vacant buildings and structure. The provisions of this part are applicable to the owners of such vacant buildings as set forth herein and are in addition to and not in lieu of any and all other applicable provisions of the Codified Ordinances of the City of Reading and all relevant codes and/or regulations adopted therein.

§10—2002. DEFINITIONS

For the purposes of this section, where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies. The following words shall have the meanings respectively ascribed to them as follows:

Boarded a building, structure or dwelling unit subject to the provisions of this part if in place of one or more exterior doors, other than a storm door, or of one or more windows, there is a sheet or sheets of plywood or similar material covering the space for such door or window.

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Notice written notice of a violation or requirement under this section mailed, pursuant to first class mail, to the last known address of the owner of the property in question.

Public Nuisance:

- (a) Any building or structure which because of physical condition or use is regarded as a public nuisance and has been declared a public nuisance in accordance with the local housing, building,

plumbing, fire and related codes.

(b) Any building or structure which because of physical condition, use or occupancy is considered an attractive nuisance to children.

(c) Any building or structure which because it is dilapidated, unsanitary, unsafe, insect or vermin infested or lacking in the facilities and equipment required by the City of Reading Codified Ordinances and has been designated by the City as a public nuisance.

(d) Any structure which is a fire hazard or is otherwise dangerous to the safety of person or property.

(e) Any structure from which water, plumbing, heating, sewage or other facilities have been disconnected, destroyed, removed or rendered ineffective so that the property creates a hazard to neighboring properties.

(f) Any building or structure which for reason of neglect or lack of maintenance, has become a place for accumulation of trash and debris or a haven for rodents and other vermin.

(g) Any building or structure which lacks or has rendered inoperable fire protection system as required by the applicable City of Reading Codified Ordinance.

(h) Any building or structure which as a result of its dilapidated, unsanitary, unsafe, insect or infested condition creates a damage or a risk of damage to a neighboring property.

Occupied any building or structure where one or more persons actually conducts a lawful business or resides in all or any part of the building as the licensed business-occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same. For purposes of this part, evidence offered to prove that a building is so occupied may include, but shall not be limited to, the regular receipt of delivery of regular mail through the U.S. Postal Service; proof of continual telephone, electric, gas, heating, water and sewer services; trash collection services; a valid City business license, or the most recent, federal, state, or City income tax statements indicating that the subject property is the official business or residence address of the person or business claiming occupancy; or proof of up to date tenant list

Open a building or structure whereat any one or more exterior doors, other than a storm door, is broken, open and, or closed, but, without a properly functioning lock to secure it, or if one or more windows is broken or not capable of being locked and secured from intrusion or any combination of the same.

Owner any person, agent, operator, partnership, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Vacant a building or structure shall be deemed to be vacant if no person or persons actually, currently conducts a lawfully licensed business, or lawfully resides or lives in any part of the building as the legal or equitable owner(s) or tenant occupant(s), or owner-occupants, or tenant(s) on a permanent non-transient basis.

§10—2003. APPLICABILITY

The requirements of this article shall be applicable to every building and structure in the City of Reading and each owner of any building whether governmental, commercial, residential or institutional or owned by non-profit or a for-profit organization in which the building in total shall have been vacant for more than 45 consecutive days. Registration shall be required for all vacant buildings and structures, whether vacant and secure, vacant and open or vacant and boarded and shall be required whenever any building has remained vacant for 45 consecutive days or more. This part shall not apply to any building owned by the United States, the Commonwealth, the City of Reading, County of Berks nor to any of their respective agencies or political subdivisions.

§10—2004. REGISTRATION STATEMENT

Each such owner shall cause to be filed a notarized registration statement on a form prepared and provided by the Property Maintenance Division of the City of Reading, which shall include but not be limited to the street address and parcel number of each such vacant building, the names and addresses of all owners, as hereinafter described, and any other information deemed necessary by the Property Maintenance Division, Building and Trades Division, and the Department of Fire and Rescue Services. For purposes of this part, the following shall also be applicable:

(a) If the owner is a corporation, the registration statement shall provide the names and residence addresses of all officers and directors of the corporation and shall be accompanied by a copy of the most recent relevant filing with the Pennsylvania Department of State.

(b) If an estate, the name and business address of the executor of the estate;

(c) If a trust, the name and address of all trustees, grantors and beneficiaries;

(d) If a partnership, the names and residence addresses of all partners with an interest of ten (10) percent or greater;

(e) If any other form of unincorporated association, the names and residence addresses of all principals with an interest of ten percent or greater;

(f) If an individual person, the name and residence address of that individual person. The Registration Statement and, where applicable, Registration Fee(s) as required by sub-section §10—2006 of this section shall be billed by the Property Maintenance Division and such Registration Statement and, where applicable, Registration Fee(s), shall be filed with and/or paid to the Property Maintenance Division for the subject year no later than the last business day of said year, on or before December 31, or if December 31 falls on Saturday or Sunday by the preceding Friday, of each year. For purposes of this ordinance, registration application initially shall be due on September 1, 2009

§10—2005. DUTY TO AMEND REGISTRATION STATEMENT

If the status of the registration information changes during the course of any calendar year, it is the responsibility of the owner, responsible party or agent for the same to contact the Property Maintenance Division within thirty (30) days of the occurrence of such change and advise the department in writing of those changes.

§10—2006. FEES

The owner of the vacant property as of December 31st of each calendar year shall be responsible for the filing of his/her Registration Statement and, where applicable, registration payment of the non-refundable registration fee. Said fee shall be \$100 per year per building and structure which has not been declared a public nuisance by the City of Reading Property Maintenance Division, Department of Fire and Rescue Services or Building and Trades Division of the Department of Community Development and the exterior of said building or structure is compliant with the applicable codes and ordinances.

Upon a determination that a building or structure is a public nuisance or becomes non code compliant on the exterior, the fee for Registration of a Vacant Building or Structure shall be:

- \$500 for buildings or structures that have been vacant for one to two years;
- \$1,000 for buildings or structures that have been vacant for two to three years;
- \$2,000 for buildings or structures that have been vacant for three to five years;
- \$3,500 for buildings or structures that have been vacant for five to ten years; and
- \$5,000 for buildings that have been vacant for ten years.

The fee shall increase by \$500 for each year beyond the ten years that the building has been vacant.

An owner may appeal a determination of a public nuisance or exterior non code compliant to the Building and Fire Board of Appeals as set forth herein. Once a building or structure has been declared a public nuisance or non code compliant, upon correction of the basis for such determination, an owner may apply to the Property Maintenance Division for removal of the nuisance or non code compliant determination and reduction of the fee to \$100 per year.

§10—2007. DELINQUENT REGISTRATION FEES AS A LIEN

After the owner is given notice of the amount of the Registration Fee due, except for those owners that have properly perfected an appeal pursuant to §10-2012 above, and the owner fails to pay the amount due within thirty (30) days, said amount shall constitute a debt due and owing to the City, and the City may either enter a lien on the property or turn it over to a collection agency for receipt as provided by law

§10—2008. ONE TIME WAIVER OF REGISTRATION FEE

A one-time, one year waiver of the registration fee may be granted by the Property Maintenance Division upon application of the owner and upon review and advice of the Solicitor's Office, within 15 calendar days of the date of the bill for the registration fee, if the owner:

1. Demonstrates with satisfactory proof to the Property Maintenance Division, Building and Trades Division and/or Department of Fire and Rescue Services that he/she has submitted valid architectural plans, based on city's permits and planning application procedures, and otherwise has shown good faith efforts to efficiently rehabilitated, demolish, or otherwise substantially repair or improve said vacant building; or
2. Demonstrates with satisfactory proof to the Property Maintenance Division, Building and Trades Division and/or Department of Fire and Rescue Services that he/she is

actively marketing the property for sale/lease. Actively marketing will be defined as an owner who has placed a “for sale” or a “for lease” sign on the property with accurate contact information, which is also provided to the Property Maintenance Division, Building and Trades Division and/or Department of Fire Services, and has done at least one of the following:

- (a) Engaged the services of a real estate licensee, whose name, address, telephone number and email will be provided to the Property Maintenance Division, Building and Trades Division and Department of Fire and Rescue Services, in the Multiple Listing Service (MLS);
- (b) Placed weekly advertisements in print or electronic media;
- (c) Distributed printed advertisements.

§10-2009. DECISION ON APPLICATION FOR WAIVER

Within thirty (30) days after the waiver application is received by the Property Maintenance Division, and upon review by the Property Maintenance Division, Building and Trades Division and/or Department of Fire and Rescue and advice of the Solicitor’s Office, the Property Maintenance Division shall grant or deny the waiver in writing, and dispatch the written decision by mail to the owner. If the owner properly submitted an application for a one-time waiver to the Property Maintenance Division and that application was denied, the owner may seek an appeal from the Building and Fire Board of Appeals by filing an appeal request in writing within twenty (20) calendar days of receipt of the denial.

§10—2010. LOCAL AGENT

If none of the persons listed in §10-2004 above is shown at an address within Berks County, the Registration Statement also shall provide the name and address of a person who resides within Berks County appointed by the owner as the local agent. The owner and responsible local agent shall be jointly and severally legally responsible compliance with the City of Reading Codes and Codified Ordinances and the laws of the Commonwealth of Pennsylvania. The local responsible agent shall be responsible for, including but not limited to, providing the Code Official with access to the building or structure for the purpose of making inspections, is authorized to accept service of process on behalf of the owners, receive notification in the event of an emergency affecting the public health, safety or welfare and for purposes of service of any and all notices or registration statements as herein authorized and in connection herewith.

§10—2011. INSPECTIONS

Annual Inspection. An annual inspection of a Registered Vacant Building shall be performed by the Property Maintenance Division for Residential Structures and Building / Trades Division and/or Fire Prevention Division for Commercial Structures, or as necessary, to determine if it complies with the minimum requirements, as determined by the code official, of applicable Property Maintenance Code, Building and Trades Codes and Fire Prevention Code. If violations of these Codes are identified the Property Maintenance Code shall issue a notice of violation as per the requirements of those codes and give notice to the owner to comply with the codes with a time to cure. If the violations are not corrected within the time given, the property shall be declared a public nuisance.

Complaint Inspections. Nothing in this Part shall preclude a Code Official from performing an inspection upon receipt of a complaint of violation of the City of Reading Codes and Codified Ordinances existing at the building or structure. Said inspections shall be in accord with the applicable Codes and Ordinances and regulations and policies established by the City of Reading.

Right of Entry. The Code Officials are authorized and directed to make inspections at any reasonable hour to determine compliance with the aforementioned codes. For this purpose, the Property Maintenance Division, Building and Trades Division and Department of Fire and Rescue Services, its officers or representatives are authorized to enter and examine any building, structure, yard or part of either and every owner, operator or occupant shall allow the inspectors, officers or representatives of the Property Maintenance Division and Department of Fire and Rescue Services free access.

Search Warrant. If any owner, local agent or other person in charge of a building or structure subject to the provisions of this Part refuses, impedes, inhibits, interferes with, restricts or obstructs entry and free access to every part of the structure or premises where inspection authorized by this Part is sought, the administrative authority, appropriate Code Official, shall promptly apply for an administrative search or inspection warrant to a court of competent jurisdiction and shall supply all necessary affidavits and testimony to indicate that there is a reasonable or probable cause to conduct an inspection.

Notice. All notices scheduling an inspection shall be mailed via regular mail to the owner of record with a copy mailed via regular mail to the local responsible agent.

Failure to Appear for Inspection. If the owner or his/her local responsible agent cannot be available at the proposed time, said owner or representative shall provide no less

than 24-hour written notice to the Property Maintenance Division. Upon failure to give such written notice or upon failure to gain entry, an administrative fee of \$50 will be assessed against the owner or representative of the owner failing to supply written notice or appear. For each rescheduling beyond the second rescheduling an administrative fee of \$100 shall be assessed in all cases. Failure to pay administrative fees shall at the discretion of the Code Official constitute a violation of this or the applicable Code including but not limited to the City of Reading Property Maintenance Code. Failure of an owner or his/her local responsible agent to appear for a scheduled inspection shall be considered probable cause for obtaining a search warrant to inspect the premises.

Special Requested Inspection. Whenever the owner, mortgagee, purchaser or other interested party requests a special inspection of a property regulated by this Article, or certification that a property is in compliance with this Article or other applicable City ordinances pertaining to structural condition; when such a request is being made in connection with the sale, conveyance, transfer, financing or refinancing of such property; then such person shall first pay a fee of \$200 to the City to defray the expenses of making such inspection.

§10—2012. SERVICE CUT OFFS

(e) Upon registration of a property the Property Maintenance Division and/or Fire Marshall shall see to it that all service utilities are disconnected as per Property Maintenance Code 108.2.1 Service Utilities.

§10—2013. APPEAL RIGHTS.

A. Registration Fees. The owner shall have the right to appeal the imposition of the registration fees to the Building and Fire Board of Appeals upon filing an application in writing to the Property Maintenance Division no later than twenty (20) calendar days after the date of the billing statement. On appeal, the owner shall bear the burden of providing satisfactory objective proof of occupancy as defined in §10-2002 above.

B. Public Nuisance and Exterior Non Code Compliant. The owner shall have the right to appeal the determination that a building or structure is a public nuisance or the exterior is non code compliant to the Building and Fire Board of Appeals upon filing an application in writing to the Property Maintenance Division no later than twenty (20) calendar days after notification of said determination. On appeal, the owner shall bear the burden that the property is not a public nuisance and the exterior is code compliant.

C. Fee. The fee for filing of an appeal to the Building and Fire Board of Appeals shall be \$100. Failure to submit the appropriate fee with the request for an appeal shall result in

automatic denial of the appeal. In addition to said fee, the Appellant shall be responsible for all costs incurred to conduct a hearing beyond that covered by the fee.

§10—2014. ADMINISTRATION AND ENFORCEMENT

Administration and enforcement of this section shall remain under the control of the Property Maintenance Division, Building and Trades Division and/or the Department of Fire and Rescue Services.

§10—2015. VIOLATIONS AND PENALTIES.

A. Violations. The failure or refusal for any reason of any owner, or agent of an owner acting on behalf of the owner, to file a Registration Statement, to pay any fees required to be paid pursuant to the provisions of this part, or to appear for an inspection, shall constitute a violation. The violation shall be deemed a strict liability offense

B. Prosecution of Violations. The Fire Marshal, Chief Building Official and/or Property Maintenance Division Administrator or his/her designee. shall have the authority to institute the appropriate proceeding at law or in equity, to restrain, correct or abate such violation of the provisions of this Part or of the order or direction made pursuant thereto. Such authority shall include but not be limited to the Fire Marshal, Chief Building Official and/or Property Maintenance Division Administrator or his/her designee. institution of summary criminal proceedings via the issuance of a nontraffic citation in accord with the Pennsylvania Rules of Criminal Procedures in the court of appropriate jurisdiction, as a means of enforcement of this section and shall, when acting within the scope of employment hereunder, have the powers of a police officer of the City; provided, however, that under no circumstances shall they have the power of arrest.

C. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) for the first two continual and uncorrected failure or refusal to register, or for each failure or refusal to pay and not exceeding five thousand dollars (\$5,000) for the third and any subsequent continual and uncorrected failure or refusal to register or for each subsequent failure or refusal to pay or imprisonment for any term not exceeding (90) ninety days. Each day that violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

§10—2016. COMPLIANCE WITH OTHER CODES

In no instance shall the registration of a vacant building and the payment of registration fees be construed to exonerate the owner, agent or responsible party from responsibility for compliance with any other City of Reading Code or Ordinance.

§10—2017. NONEXCLUSIVE REMEDIES.

The penalty and collection and lien provisions of this Part shall be independent, nonmutually exclusive separate remedies, all of which shall be available to the City of Reading as may be deemed appropriate for carrying out the purposes of this Part. The remedies and procedures provided in this Part for violation hereof are not intended to supplant or replace to any degree the remedies and procedures available to the City in the case of a violation of any other City of Reading Code or Codified Ordinances, whether or not such other code or ordinance is referenced in this Part and whether or not an ongoing violation of such other code or ordinance is cited as the underlying ground for a finding of a violation of this Part.

§10-2018 BLIGHTED PROPERTY REVIEW

Nothing in this Part, shall be meant or utilized to override or circumvent a property under consideration, review and in the process of the City of Reading Blighted Property Review Committee. A property be under order of the City of Reading Blighted Property Review Committee to be rehabilitated yet continue to be required to register as a Vacant Building or Structure pursuant to this Part.

BILL NO. _____ 2009
AN ORDINANCE

**AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES
CHAPTER 27 ZONING BY CREATING A NEW SECTION IN PART 11
ADDITIONAL REQUIREMENTS FOR SPECIFIC USES OF ZONING DISTRICTS
BY PLACING REQUIREMENTS FOR THE RENTAL OF SINGLE FAMILY HOMES
IN AREAS ZONED R-1, R-1A and R-2 AND AMENDING THE DEFINITIONS
SECTION.**

WHEREAS, as the City's Zoning Ordinance and Map allows residential rental uses – multi family and single family – in Penn Square, CN, CR, CC, R-PO, and R3, and

WHEREAS, over 50% of all residential dwellings in the City of Reading are rental dwellings; and

WHEREAS, there is a greater incidence of violations of various codes of the City at residential dwelling where Owners do not reside in the City and rent such dwelling to three or more unrelated individuals than at an Owner-occupied residential dwelling or one family-occupied residential dwellings; and

WHEREAS, there is a greater incidence of problems with maintenance/upkeep and quality of life disturbance of residential dwellings where Owners do not reside in the City and rent such dwelling to three or more unrelated individuals than at Owner-occupied dwellings or one family-occupied dwellings; and

WHEREAS, the City of Reading City Council and residents of these neighborhoods seek to preserve the quality of life in the low density residential zones by creating requirements for one family rental dwelling in area zoned R-1, R-1A and R-2.

**NOW THEREFORE, THE CITY OF READING CITY COUNCIL HEREBY ORDAINS
AS FOLLOWS:**

SECTION 1. Amending the City of Reading Codified Ordinances - Chapter 27 Zoning Part 11 Additional Requirements for Specific Uses or Zoning Districts by creating a Section 27-1107 which creates restrictions on the rental of one family detached and semi-detached dwellings in R-1, R-1A and R-2 zoning districts, as follows:

Section 27-1107. Requirements for Rental Dwellings in the R-1, R-1A and R-2 Zoning Districts.

- A. All one family rental dwellings must obtain a zoning permit.
- B. No one family dwelling in these zoning districts shall be converted for multi-family use or created to become Roommate Households as defined in Sections 27-1202 (16) and 27-2202.
- C. The zoning application must include a site plan and architectural plans, drawn to scale, must show the location and dimensions of off-street parking, private entrances, walkways, the dimensions and square footage of each room and storage space and shall indicate the intended use of each room.
- D. The rental dwelling must meet the standards of the City of Reading building, housing and fire codes as required for residential rental dwellings. The owner must verify to the City of Reading on an annual basis that the dwelling meets all of the maintenance, plumbing, electrical, heating, building, fire, and similar standards set by the City and by the Commonwealth of Pennsylvania.
- E. No cooking facilities of any kind shall be located in any room except the central kitchen.
- F. Every bedroom shall be at least 70 square feet of floor area and there shall be no more than two occupants per bedroom.
- G. No basement or cellar shall be used as a habitable bedroom except by special approval and variance from the Zoning Hearing Board.
- H. Each rental dwelling must provide off-street parking as stated in the City of Reading Zoning Ordinance Section 27-1603 V.
- I. No rental dwelling shall be located within 800 feet of another except by special approval and variance from the Zoning Hearing Board.

SECTION 2. Requiring all existing rental detached and semi-detached dwellings in R-1, R-1A and R-2 zoning districts to register their dwellings pre-existing, non-conforming status within one (1) year of the enactment of this ordinance. Registering the dwelling by this date will allow the dwelling to continue its use. If the pre-existing, non-conforming use is not registered by the stated date, the use will be considered abandoned and the dwelling must be converted to a use permitted in the zone within six (6) months.

SECTION 3. Amending the City of Reading Codified Ordinances - Chapter 27 Zoning Part 22 Definitions by adding the following:

RENT, RENTING, RENTAL, LET, LETTING, LEASE OR WORDS OF SIMILAR MEANING – the act of permitting a unit to be used to provide a

living arrangement for one or more persons not the owner thereof whether or not for compensation.

RENTABLE UNIT, RENTAL PROPERTY, UNIT, OR WORDS OF SIMILAR

MEANING - Any dwelling, dwelling unit, rooming house or rooming unit not solely occupied by the owner.

ROOMING UNIT- a portion of a building providing rooms for sleeping and/or sanitary facilities.

ROOMMATE HOUSEHOLDS - a shared housing arrangement where ~~at least two, and no more~~ than three persons not related by blood, marriage, adoption or foster relationship live together in a single dwelling unit and/or a single housekeeping unit on a permanent or temporary arrangement. Any exception to this definition in number of persons in the occupancy arrangement requires approval as a special exception review by the Zoning Hearing Board.

SECTION 4. The owner or qualified agent or manager of the property shall register the rental dwelling annually with the Codes Services and Tax Administration offices. Failure to register on an annual basis will revoke the zoning permit.

SECTION 5. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or re-passage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2009

President of Council

|
Attest:

City Clerk

(Councilor Marmarou & Council Staff)



AGENDA MEMO

MANAGING DIRECTOR

TO: President Spencer and the City Council
FROM: Ryan P. Hottenstein, Managing Director
MEETING DATE: April 13, 2009
AGENDA MEMO DATE: April 8, 2009
RECOMMENDED ACTION: Approve a Resolution appointment Carl Geffken as Finance Director. In addition, it is recommended that the salary ordinance be approved.

BACKGROUND:

The nominee, Carl Geffken, has his Masters in Business Administration from City University of New York. He also has a Bachelor of Arts in Economics from the State University of New York. Mr. Gefflen was the Director of Finance and Human Resources for the National Association on Drug Abuse Problems. He has most recently served as the Interim Chief Financial Officer/Vice President of Finance at the Brooklyn Botanic Garden. His experience meets the requirements for the position and will serve the City well.

BUDGETARY IMPACT: Sufficient funds are available in the City's general fund.

PREVIOUS ACTION: None

SUBSEQUENT ACTION: None

RECOMMENDED BY: Mayor and Managing Director

RECOMMENDED MOTION: Appointment of Carl Geffken to Finance Director.

RESOLUTION NO. _____-2009

**CONFIRMING THE APPOINTMENT OF CARL GEFFKEN AS FINANCE
DIRECTOR FOR THE CITY OF READING**

WHEREAS, Thomas M. McMahon, Mayor of the City of Reading, has moved the appointment of Carl Geffken as Finance Director for the City of Reading at a salary to be set by ordinance.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY
RESOLVES AS FOLLOWS:**

The appointment of Carl Geffken as Finance Director is hereby confirmed and is hereby effective on the effective date of the ordinance setting the salary for the Finance Director.

Adopted by Council _____, 2009

President of Council

Attest:

City Clerk

AGENDA MEMO

TO:
PREPARED BY: Public Safety
MEETING DATE: Tonya Butler
AGENDA MEMO DATE: March 2, 2009
REQUESTED ACTION: February 19, 2009
Council approve a resolution amending Resolution #93-96
(Handicap Parking).

RECOMMENDATION:

Council approve a resolution amending Resolution #93-96 (Handicap Parking).

BACKGROUND:

This amendment would put the City's handicap parking laws in concert with existing State requirements.

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

RECOMMENDED MOTION:

Approve the resolution amending Resolution #93-96 (Handicap Parking).

RESOLUTION NO. _____

AMENDING RESOLUTION #93-96, SECTIONS 1-7:

WHEREAS, by Resolution No. 473-86, the Council of the City of Reading enacted a handicapped parking policy procedure; and

WHEREAS, ~~it has become necessary to modify that parking policy procedure as a result of the overwhelming requests received for handicapped parking spaces~~ **the population of the City of Reading consists of citizens with numerous handicaps or disabilities, some of whom by reason of their handicap or disability, require reasonable accommodations in order to have equality of opportunity relating to their public accommodations;** and

WHEREAS, ~~there are currently issues in excess of five hundred (500) handicapped parking spaces; and~~ **discrimination because of a person's handicap or disability is contrary to the laws and policies of the City; and**

WHEREAS, the handicapped parking space designation may be established by the City of Reading; and

WHEREAS, the use of such designated handicapped parking space is not permitted to be exclusive to the applicant; and

WHEREAS, there is a need to monitor the applications for and continued use of handicapped parking spaces; ~~and.~~

WHEREAS, ~~it has been determined that the criteria for granting requests for handicapped parking spaces should be made more stringent.~~

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Any resident of the City of Reading, ~~after acquiring a handicapped or disabled veterans license plate or placard from the State, may make application to the City for a handicapped parking space.~~ **who has a qualified disability status as defined in the Application for Residential Parking for People with Disabilities and who has been issued by the Commonwealth of Pennsylvania a handicapped license plate or disabled veterans license plate or placard from the State or on whose behalf said license plate has been issued pursuant to Section 1338 of the Vehicle Code because of a handicap or disability, shall be eligible for the installation of a sign indicating that parking in such space is restricted to those vehicles bearing handicapped license plates or placards in front of or as reasonably close thereto said person's residence.** All applications for original status

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will be reviewed by the City Health Officer, who will be the individual responsible for making the final determination on whether or not an individual claiming handicapped status should be granted a restricted handicapped parking space. All applications for renewal will be reviewed by the Department of Public Works, Traffic Engineering Office.

SECTION 1.1. A restricted handicapped parking space in front of a residence, or reasonably close to a residence, is a special privilege granted by the City of Reading only to people who have severe physical disabilities as evidenced on their application by their physician's certification of their current disability status. Such a space will be granted only to those who are mobility impaired to the extent that they cannot manage without it.

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SECTION 1.2. Parking at a restricted handicapped parking space is permitted by anyone who has been issued a handicapped license plate or disabled veterans license plate or placard from the State or on whose behalf said license plate has been issued pursuant to Section 1338 of the Vehicle Code because of a handicap or disability. The restricted handicapped parking space does not belong to the applicant.

SECTION 2. In making the final determination, the City Health Officer shall be limited to granting no more than two (2) handicapped parking spaces per block where there is parking permitted on both sides of the street, and one (1) handicapped parking space per block where parking is permitted on only one (1) side of the street. Any such handicapped parking space permits having previously been granted prior to the effective date of this resolution where there is an excess of two (2) per block where applicable, or one (1) per block where applicable shall be permitted to remain in effect. In the event handicapped parking permits exceed the two (2) per block or the one (1) per block limit set forth above, the City Health Officer shall refrain from granting handicapped parking spaces for such block or blocks until such time as handicapped parking spaces as a result of failure to renew or cancellations fall below the per block limit set forth above. The application for a restricted handicapped parking space shall be made on a form provided by the Department of Public Works, Traffic Engineering Office. The application information shall include the identity of the handicapped person and said person's place of residence. It shall be accompanied by documentation evidencing issuance of a handicapped plate or placard by the Commonwealth of Pennsylvania as well as a physician's certification of disability.

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SECTION 3. In making the final determination for renewal of restricted handicapped parking spaces, the Department of Public Works, Traffic Engineering Office, shall apply the criteria existing prior to date of passage of this resolution for the renewal of all parking spaces currently granted, with the exception of any numerical space limitations. Once a permit is not renewed for any reason, any new application by the same applicant for such parking permit shall be considered a new application and shall be governed by the criteria set forth in Section 4 of this Resolution.

SECTION 4. In making such final determination for an original application, the applicant or someone residing in the applicant's residence shall meet the following criteria:

- a) There is legal parking in the street in front of the applicant's residence.
- b) No on-site off street parking is available.
- c) The applicant:
 - 1. ~~Must be wheelchair confined, and/or,~~
 - 2. ~~Must have a cardiac condition to the extent that the person's functional limitations are classified in severity as Class IV according to the standards set by the American Heart Association, and/or,~~
 - 3. ~~Caring for a minor child with a severe physical or mental disability, and/or,~~
 - 4. ~~Is restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than 60 mm/hg on room air at rest. shall have a disability as defined in the Application for Residential Parking for People with Disabilities.~~
- d) ***There is at least twenty-five (25') feet of parking space directly in front of the property. If not, signatures of the persons who own the adjacent properties must be obtained indicating that they have no objections to the installation of the Handicap zone.***
- e) ***The disabled person must be eligible for, and have in his or her possession, a HCP, PD or DVHP license plate or placard from the PA Department of Transportation for his or her vehicle.***

SECTION 5. **ANNUAL CERTIFICATION** ~~Approved applicants will be required to pay a fee of Seventy Dollars (\$70.00) for the materials and labor involved in the installation of the sign. Each permit granting a handicapped parking space may be renewed on an annual basis by filing an application for renewal together with a Five Dollar (\$5.00) renewal fee. Each application whether for an original permit for a handicapped parking space or for a renewal permit for a handicapped parking space shall contain the information required by the application form and the renewal application form. An incomplete application form or renewal application form shall be grounds for denial of the request for a permit. Applications for renewal permits shall be submitted to the City Health Officer not less than thirty (30) days or more than sixty (60) days prior to the expiration of each one (1) year term.~~

- (a) ***Each renewal period shall be twelve (12) months.***
- (b) ***Application for renewal must be filed with the Department of Public Works, Traffic Engineering Office, not less than thirty (30) days or more than sixty (60) days prior to the expiration of each one (1) year term.***
- (c) ***The Department of Public Works, Traffic Engineering Office, will not accept the application for renewal unless it is also accompanied by a sworn document containing the following averments:***
 - (1) ***The applicant continues to be disabled.***
 - (2) ***The applicant continues to drive the identified automobile or is being driven by another identified individual because of applicant's disability.***
 - (3) ***The applicant resides at the same address.***

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SECTION 5.1 FAILURE TO FILE COMPLETED APPLICATION

Failure to file a completed initial application or a timely application for renewal shall result in such application being denied. In the event an individual fails to file

a completed application for recertification within the times allowed, that is, on an annual basis prior to expiration of the individual's eligibility, the right to such sign shall be forfeited, and the sign shall be removed by the Department of Public Works.

SECTION 6. The criteria set forth for final determination as set forth in Section 4 and the fee for the original application and any renewal application may be changed from time to time by written directive of the executive branch provided that at least prior thirty (30) days notice thereof shall be published in a newspaper of general circulation in and for Berks County. An incomplete application form or renewal application form shall be grounds for denial of the request for a permit. Applications for renewal permits shall be submitted to the City Health Officer not less than thirty (30) days or more than sixty (60) days prior to the expiration of each one (1) year term. **REMOVAL OF SIGN**

In addition to the removal of the sign for failure to properly apply for renewal, a handicapped parking restriction sign may be removed after notice to the applicant if, upon investigation, the City determines that the applicant is not, in fact, handicapped, that the applicant has moved or that the privilege is being abused in a manner inconsistent with its intent. The notice to the individual shall state the reason(s) for the anticipated removal of the sign and shall give the handicapped individual twenty (20) days in which to request a hearing before City Council or its designee.

Any change of address or change of circumstance shall be reported to the Department of Public Works, Traffic Engineering Office within thirty (30) days of such occurrence so that the restricted handicapped sign can be removed from said location.

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SECTION 6.1. INSTALLATION OF SIGNS

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Upon determination that the application for handicapped restricted parking meets the requirements of this chapter, the City Health Officer shall refer the same to the Department of Public Works, Traffic Engineering Office for installation of a restricted handicap parking sign.

SECTION 7. ~~This resolution shall take effect immediately upon enactment.~~
Residents who obtain restricted handicapped parking spaces must comply with all provisions under the City of Reading Codified Ordinances, Chapter 15, Motor Vehicles and Traffic; including, but not limited to: Part 4, Stopping and Parking; Part 5, Parking Meters; Part 6, Short Term Daytime Parking Requirements and Part 9, Snow and Ice Emergency.

SECTION 8. Penalties. *An individual who submits a false application to the City of Reading shall, upon conviction thereof, be fined five hundred dollars (\$500.00) and costs, or imprisonment for not more than ninety (90) days, or both. Each false application submitted to the City of Reading shall constitute a separate offense.*

Section 9. *The criteria set forth for final determination as set forth in Section 3 may be changed from time to time by written directive of the City of Reading City Council provided that at least thirty (30) days prior notice thereof shall be published in a newspaper of general circulation in and for Berks County.*

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SECTION 10. This resolution shall take effect immediately upon enactment.

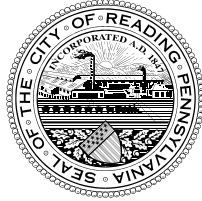
PASSED COUNCIL _____ 2009

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

City of Reading
815 Washington St
Reading, PA 19601



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Dear Applicant:

Enclosed, you will find an application for Residential Parking for People with Disabilities. It is very important that this application be filled out completely and legibly. An application that is incomplete, illegible or otherwise not filled out in compliance with the explicit instructions given on the application will be returned to the applicant without action.

Attached is a form that must be completed by your physician, certifying the nature of your disability. This form **must be printed or typed** and returned with the completed application.

Upon our receipt and verification of your completed application, a representative of the City of Reading will contact you. At that time, an appointment will be made to come to your home for an in-person interview and to survey parking as it applies to your particular situation.

You will be notified in writing as to whether your application has been approved or denied.

Approval of a handicapped parking space does not guarantee that the space will be used by the applicant only. Anyone with a PA handicapped license or placard may use this space.

DISABLED PERSON RESERVED PARKING CRITERIA

1. The disabled person must be eligible for, and have in their possession, a HCP, PD, or DVHP license plate from the PA Department of Transportation for his/her vehicle.
2. The driver of the vehicle need not be the disabled person as long as the driver resides in the household of the disabled person – ie. spouse, parent. The state requirements allow for a person in the household other than the disabled person to apply because frequently the disabled person cannot drive. He or she may be a child or a person with a disability that prohibits them from driving, but a sign will only be granted if the disability is severe enough to warrant a space.
3. The disabled person must be mobility impaired to the extent that ambulation is **severely** restricted.
4. The street width in front of the residence must be adequate to allow parking.
5. The individual cannot have an off-street parking space available.
6. The individual must be restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than 60 MM/HG on room air at rest.
7. The individual must have a cardiac condition to the extent that the person's functional limitations are classified in severity as Class IV according to the standards set by the American Heart Association.
8. The parking width in front of the property must be at least 25 feet. If this is **not** the case, you must obtain the signature of the person who owns the adjacent property indicating that they have no objection to the installation of the handicap zone.

PLEASE PRINT

If this application is being completed by someone other than the disabled person (applicant), please list that person's name below:

Person completing application _____ Relationship to applicant _____

Applicant's Name: _____

*The following information required on this application **must** pertain to the above mentioned applicant

Address: _____ Zip Code: _____

Telephone: _____ Date of Birth: _____

Social Security Number: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS COMPLETELY:

1. What is the nature of your disability? _____

2. Explain why you feel that you are in need of reserved parking at your home: _____

3. Do you have a garage or other off street parking available? YES NO

4. Do you have a PA Person with Disabilities License Plate?

If **YES**, License Plate number: _____

If **NO**, do you have a PA Person with Disabilities Placard? Number: _____

5. If the vehicle is not registered to the disabled person, why are you requesting a zone for a vehicle not registered to you? Please be specific.

6. Do you use one of the following? (Please circle)

Wheelchair Cane Crutches Braces Walker N/A

Other (please specify) _____

7. Are there any type of parking restrictions on your street? YES NO

If yes, please describe: _____

Please attach a photocopy of the Vehicle Registration AND the applicant's or designated driver's PA driver's license as well as a copy of the Person with Disabilities Placard, if applicable.

IS YOUR PROPERTY 25 FEET WIDE OR MORE? _____
IF NO, COMPLETE THE FOLLOWING SECTION:

I understand that if the zone that I am requesting includes a portion of the street in front of a property adjacent to mine, it is my responsibility to obtain the signature of the owner of the adjacent property indicating that they have no objection to the installation of this zone. I further agree that if I use this zone in any other manner other than that which I described at the time of this application, the zone will be removed. In addition, I agree that the City of Reading retains the right to remove this zone at any time.

CONSENT OF ADJACENT PROPERTY OWNER (Please read carefully if applicable)

I, (print name) _____ certify that I am the owner of (your address) _____. I understand that my neighbor is in need of additional footage in order to install a reserved parking zone on the street. I have no objections to the City of Reading installing a sign on the sidewalk in front of my property at the above address.

Adjacent Property Owner signature Phone # Date

Do you rent the property where you are residing? No Yes
If **yes**, your landlord will need to sign below.

I certify that I am the owner or property manager of (address): _____
_____ and that I have no objection to the City of Reading installing a handicap sign for my tenant along the public sidewalk in front of the property at the above address.

Landlord or property manager signature Phone # Date

APPLICANT'S CERTIFICATION

I am aware that it is my responsibility to file a **complete** application. I understand that the application will be returned to me if it is found to be incomplete, illegible, or otherwise not filed in compliance with the instructions.

I certify that the information contained herein is true and correct to the best of my knowledge and belief. I understand that any false statements made herein are subject to the penalties of 18 Pa C.S. Section 4904, relating to unsworn falsifications to authorities.

Applicant's signature

Date

PHYSICIAN'S CERTIFICATION OF DISABILITY

POLICY STATEMENT

All portions of this form must be filled out in detail by the applicant's treating physician based on an examination conducted **within the past six months**. A reserved parking space in front of a residence is a special privilege granted by the City of Reading only to people who have **severe** physical disabilities. Such a space will be granted only to those who are mobility impaired to the extent that they cannot manage without it.

Please type or print clearly or application will be rejected

Patient's Name: _____ Age: _____

Residential Address: _____ Zip Code: _____

Home Phone: _____

The undersigned hereby certifies as follows:

1. I examined the above named application on the ____ day of _____, _____.

2. Disability Status (check all that apply, refer to the attached functional guidelines)

☐ Impaired or Non-Ambulatory Disability (Sec. 1 ☐ or Sec 2 ☐)

☐ Arthritis (Sec. 3)

Functional Class # _____

Mobility Grade # _____

☐ Amputation/Anatomical (Sec. 4)

☐ Cerebrovascular Accident (Sec. 5)

Functional Class: ☐ A ☐ B

☐ Pulmonary (Sec. 6) Is the patient restricted to the extent that their forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than 60 mm/hg on room air at rest?

☐ No ☐ Yes **IF YES**, please attach copy of test results

Functional Class _____ (A) _____ (B)

☐ Cardiovascular (Sec. 7)

Functional Class: ☐ III or ☐ IV

Therapeutic Class: ☐ D or ☐ E

☐ Neurological (Sec. 8)

☐ Other (Sec. 9) Please specify: _____

3. Please specify the date of onset of applicant's disability: _____

4. Please describe in detail the nature and extent of the applicant's disability:

5. I performed the following test(s) and/or procedures in diagnosing the applicant's disability: _____

6. Please specify the diagnosis **and** prognosis of the applicant: _____

7. Will applicant's current level of disability (check one)

☐ Improve

☐ Remain the same

☐ Deteriorate?

8. Please specify the current physical condition of the applicant: _____

9. Does the applicant require the use of any of the following devices? (check all the apply)

☐ Wheelchair

☐ Crutches

☐ Scooter

☐ Cane(s)

☐ Walker

☐

Braces

☐ Other _____

10. Does the applicant require assistance with entering and exiting a vehicle?

☐ No

☐ Yes If YES, please describe in detail: _____

11. Does the applicant require assistance in entering or exiting his/her home?

☐ No ☐ Yes If **YES**, please describe in detail: _____

12. Is the applicant capable of driving? ☐ No ☐ Yes If YES, is the applicant the principal driver of the vehicle? ? ☐ No ☐ Yes

I am a Board certified physician in the following areas: (Please list)

I certify that the information contained herein is true and correct to the best of my knowledge and belief. I understand that false statements made herein are subject to the penalties of 18 Pa. C. S. Sec. 4904 relating to unsworn falsification to authorities.

Executed on _____
(date)

by _____
(Physician's signature)

Please print:

Physician's Name: _____

Address: _____

Telephone Number: _____

License Number: _____

FUNCTIONAL GUIDELINES AND ELIGIBILITY CRITERIA RESERVED RESIDENTIAL PARKING FOR PEOPLE WITH DISABILITIES

It is the responsibility of the medical evaluator to determine whether one or more medical conditions ascribed to an applicant are of such severity as to render the applicant disabled to the extent that reserved parking is required for him/her to function adequately on a day to day basis. The following is a rather comprehensive list of medical conditions which, in various stages cause moderate to severe mobility impairment. Most sections include a "Note" area to assist the evaluator in interpretation of the medical criteria as they relate to an applicant's eligibility for reserved, residential parking for people with disabilities.

SECTION 1: NON AMBULATORY DISABILITIES

Impairments that require the applicant to use a wheelchair for mobility.

SECTION 2: IMPAIRED OR ASSISTED AMBULATION

Intended for those who walk with extreme difficulty including those individuals who use a walker, crutches or leg braces. Use of a cane does not necessarily indicate eligibility for reserved residential parking.

Note: Claiming eligibility under this section will require extensive medical documentation or an additional medical examination of the individual to determine whether or not this applicant's medical condition qualifies the applicant for receipt of a reserved residential zone.

SECTION 3: ARTHRITIS

This section is intended for people whose arthritic condition makes walking extremely difficult; people who suffer arthritis which causes a severe functional motor deficit in the legs.

Functional Capacity:

Class III – functional capacity adequate to perform only a few or none of the duties of usual occupation or self care.

Class IV – Largely or wholly incapacitated, uses wheelchair.

Mobility Assessment:

Grade II – The applicant can cross the road but cannot manage public transportation

Grade III – The applicant can use stairs but cannot cross roads

Grade IV – The applicant cannot use stairs

Grade V – The applicant can move from room to room with help

Grade VI – The applicant is confined to chair or bed

Note: Arthritis alone can only be used as a criterion for reserved residential parking if the applicant meets Class III under the Functional Capacity section and at least Grade III and up to Grade V under the Mobility Assessment section. Those applicants falling under other classes or grades listed must have either additional medical complications (when considering those at Grade II level) or traffic and/or

terrain problems creating additional hardships for an attendant or driver of the disabled resident (when considering those at the Class IV and Grade VI levels).

SECTION 4: AMPUTATION/ANATOMICAL

This section is intended for people who find it extremely difficult to walk because of amputation, congenital absence of or anatomical deformity of the lower extremity at or above the tarsal region of one or both legs.

Note: Exceptions might include those cases in which the applicant has been particularly successful in mastering life skills and has been rendered fully ambulatory with the aid of his/her prosthesis.

SECTION 5: CEREBROVASCULAR ACCIDENT

This section is intended for those applicants who, because of stroke or brain injury find it extremely difficult to walk. These applicants must exhibit one of the following:

- (A) Severe functional motor deficit in any of two extremities
- (B) Severe Ataxia affecting two extremities substantiated by appropriate cerebellar signs of proprioceptive loss/loss of muscle and kinesthetic sense.

Note: Appropriate medical documentation including, but not limited to rehabilitation records, etc. required before approval of an application from an individual falling under this category.

SECTION 6: PULMONARY DISABILITIES

People who, because of a respiratory condition, find it extremely difficult to walk. These individuals experience dyspnea at various levels of exertion. Applicants must exhibit one of the following:

- (A) Dyspnea which occurs during such activities as climbing one flight or stairs or walking 100 yards on level ground.
- (B) Dyspnea present on the slightest exertion such as dressing, talking or at rest

Note: Applicants for reserved parking may qualify under either sections A or B, however, these conditions should be substantiated by respiratory function studies or by other objective rather than subjective evidence. If oxygen is required to carry out routine functions, this should be stated by the applicant's physician.

SECTION 7: CARDIOVASCULAR DISEASE

This section applies to those individuals who, because of cardiac conditions, walk with extreme difficulty. This includes people who exhibit Class III or Class IV in the functional classification and Class D or E in the therapeutic classification.

Functional Classification

Class III – Patients with cardiac disease resulting in marked limitation of physical activity. Patients may be comfortable at rest,

however, less than ordinary physical activity causes fatigue, palpitations, dyspnea or anginal pain

Class IV – Patients with cardiac disease resulting in an inability to carry out physical activity without discomfort. Symptoms of cardiac insufficiency or anginal syndrome may be present even at rest. Any physical activity with increase discomfort

Therapeutic Classification

Class D – Patients with cardiac disease whose ordinary physical activity should be markedly restricted

Class E – Patients with cardiac disease who should be at complete rest, confined to a bed or chair

Note: Those applicants who fall under Functional Class III or Therapeutic Classification D may be mobility impaired to the extent that reserved parking is required. However, placement in this classification, along with inclusion under one of the other disability categories may combine to categorize the applicant disabled to the degree that a reserved parking zone is necessary. With respect to Therapeutic Classification E, the evaluator must bear in mind that persons who are confined to bed do not usually require the provision of special parking. Upon appeal, however, special circumstances such as traffic or terrain problems may be brought to light which allow approval or reserved parking zones in such cases.

SECTION 8: NEUROLOGICAL DISABILITIES

This section is intended for those people who, because of impairment of the central nervous system, are disabled to the extent that their gait is radically altered resulting in severely restricted mobility.

Neurological Disorder: Damage to the central nervous system due to illness, accident, genetic, or hereditary factors.

Note: Each of the factors above could cause a wide range of damage to the central nervous system resulting in anything from minor disability to total incapacitation. The evaluator must take care to detail the extent to which the applicant's mobility is impaired as a result of the existing neurological disorder. The general rule for our purposes is if the applicant can walk one half of a City block without difficulty, he or she is not likely to require reserved residential parking.

SECTION 9: OTHER

Upon special request, consideration will be given to a disability which is not specifically included in the aforementioned criteria.

RESOLUTION _____ - 2009

A resolution of the City Council of the City of Reading, Berks County, Pennsylvania declaring its intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008.

Whereas, a Local Government Records Committee was created by Act 428 of 1968 and empowered thereby to make rules and regulations for records disposition; and

Whereas, the Municipal Records Manual was approved by said Committee on December 16, 2008; and

Whereas, the City of Reading desires to dispose of records according to statutory requirements;

Now, therefore, be it resolved by the City Council of the City of Reading, Berks County, Pennsylvania that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 as outlined in the attached exhibit.

Adopted by Council _____, 2009

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

FILE TYPE	RETENTION LENGTH
Administrative and Subject Files	
Records summarizing policy and programs	Permanently
Routine correspondence	As long as of administrative value
Agendas of the governing body, board, commission, agency, etc.	One copy permanently A duplicate so long as of administrative value
Annexation, consolidation and boundary change records	Permanently
Bonds (Performance and Security)	6 years after expiration (with at least one copy on file in the City Clerk's Office)
Bylaws, Regulations, Rules of Order	5 years after Retain until superseded or revoked
Founding documents (Charters, Articles of Incorporation, etc.)	Permanently (With one copy on file in the City Clerks office)
Contracts (including all support material) Bids, proposals, price quotes and qualified contractor memoranda	If successful , 6 years after expiration of contract If unsuccessful, 3 years after job completion
Contracts and agreements	General contracts 6 years after termination Construction contracts 12 years after termination
Deeds to Municipal Property and Related Land Records	Permanently
Disaster Municipal plans (disaster, financial, etc.)	Retain until 5 years after superseded, or obsolete suspended, or revoked
Easements	Permanently
Certificates of Election	11 months Federal election 22 months
Certification for Referenda	Permanently
Notice of Nominations to be made	11 months Federal election 22 months
Statements of Financial Interest	5 years
Executive Vetoes and Veto Messages	Permanently
Grant Administration Records	Comply with requirements by the appropriate agency
Hazardous Substance Survey Forms (HSSF)	30 years if employee involved in specific incident 30 years after termination of employment
Historic Preservation Documentation (submitted to PHMC)	

<ul style="list-style-type: none"> • Environmental Reviews • Historical Architectural Information Inventory/Survey Data • Nation Register of Historic Places Documentation 	<ul style="list-style-type: none"> • 8 years • Permanently • Permanently
Insurance Claims	6 5 years after settlement, or as long as of administrative value. Retain policies contracts and supporting papers 6 years after expiration, provided all claims have been settled
Legislative Investigation Records	10 years then contact State Archives
Litigation Case Files	Retained closed cases as long as of administrative value Retain cases of precedential value permanently
Litigation Opinions	Permanently
Mailing lists	Until 1 year after superseded or obsolete
Master Property and Equipment/Fixed Assets Inventories	Property and Equipment 5 years after superseded or obsolete Fixed Assets permanently
Material Safety Data Sheets (MSDS)	30 years if used as health/exposure record for employee involved in incident 30 years after termination of employment
Minutes (for all boards, authorities, commissions, governing body, etc.)	Permanently (With at least one copy on file in the City Clerks office).
Municipal Lien Files	1 year after satisfaction
Municipal obligations (bonds, coupons, notes)	6 years after cancellation (with at least one copy on file in the City Clerk's Office).
<ul style="list-style-type: none"> • bonds and coupons • bond ledgers and books • canceled notes • loan files 	<ul style="list-style-type: none"> • 6 years after cancellation • permanently • 6 years • 6 years after final payment on loan
Municipal Records Disposal Certification Request Forms (submitted to PHMC)	Permanently
Oaths of office	6 years.
Petitions	5 years Permanently for those resulting in ordinance or charter change
Photographs	As long as of administrative value – then contact State Archives
Public Hearing Notices	10 years.

Annual reports	Permanently (With at least one copy on file in the City Clerks office).
All other reports	As long as of administrative value.
Lot Location Files	Retain permanently.
Lot Ownership Records	Retain permanently.
Municipality Disaster Plans	Retain until superseded or obsolete.
Executive Vetoes and Veto Messages	Retain permanently.
Press releases	As long as of administrative value.
Proclamations/Commendations	Retain permanently.
Petitions	5 years; retain permanently if resulting in an ordinance or charter change.
Ordinances/Resolutions	Retain permanently.
Request for Service Records	1 year after request satisfied
Roster of Officials (submitted to Penndot)	Permanently
Surveys	As long as of administrative value
Employee Files Personnel Records	
Administrative Organizational Charts	One copy permanently; others as long as of administrative value
Civil Service Commission records <i>(Other than those filed in individual personnel files)</i>	5 years after expiration of all appeal periods As long as of administrative value
Eligibility lists	5 years after the list expires
Health Insurance files	5 years.
Commercial Drivers License Records	Comply with retention requirements of appropriate licensing agency
Emergency Information Sheets	Retain most recent update for tenure of employee
Employee Health Insurance Claim Files	5 years after settlement of claim
Employee Medical Records	Same as Personnel records unless exposed to toxic substances, then retain 30 years after termination of employment – must comply with OSHA regulations
Individual employee personnel records – if separate with post-termination benefits	50 years after termination. Retain summary information permanently; other records 5 years after termination
Individual employee personnel records – if separate without post-termination benefits	5 years after termination
Job announcements	5 2 years after the position has been filled.
Job descriptions	For the life of the position. Retain current plus one prior revision
Labor Negotiation Files	5 years after expiration of contract

Labor Union Contracts	20 years after expiration
Grievances	5 3 years after final resolution.
Applications for Employment – not hired	Retain 2 years.
Equal Employment Opportunity Records	Retain 3 years.
Discrimination Complaint Case Files	Retain 4 years after the resolution of the case.
Labor Negotiation Files	Retain 5 years after the expiration of the contract.
Worker's Compensation Records	Retain 4 years after signing the final settlement or 4 years after death of recipient Retain 10 years if suspension agreement has been file
Payroll Records	
Cancelled Payroll Checks	Retain 7 years.
Payroll Adjustment Records	Retain 4 years.
Individual Earning Record – terminated with benefits	5 years after all benefits paid
Individual Earning Record – terminated without benefits	5 years after termination
Deduction Authorizations	Retain 4 years after cancelled or superseded.
— Pension Plan Records	Retain 6 years after the termination of the plan.
Payroll Earnings and Deductions Registers – Pay Period Reports	4 years
Payroll Earnings and Deductions Registers – Annual Summary	If posted to individual earning record – 7 years; otherwise 50 years
Payroll Voucher (Check) Registers	7 years
Pension Files – Individual Employee	3 years after benefits paid
Pension Plan Data Sheets	10 years
Pension Plan Annual Summary Records	Permanently
Pension Plan Administration Records	6 years after termination of plan
Quarterly Returns of Withholding of Federal Income Tax	4 years
Quarterly Statements of State and Local Taxes Withheld	4 years
Social Security Reports	Retain 4 years
Attendance Records and Time Cards	Retain 3 years.
Unemployment Compensation Records	4 years after contributions have been made
Wage and Tax Statements (W-2 forms)	4 years after due date of tax
Withholding Allowance Certificates (W-4 forms)	4 years after new certificate is filed or employment terminated

1099 Forms	4 years
Financial and Purchasing Records	
Weekly/Monthly Account Summaries	3 years 5 years
Year end Summaries	7 years
Accounts payable files and ledgers	7 years
Accounts Receivable Files and Ledgers	7 years
Budgets	Permanently (with at least one copy on file in the City Clerk's Office)
Audit	Permanently (With at least one copy on file in the City Clerks office)
Audit Workpapers	Current plus three prior audit cycles
Annual Budget and related records	Budget permanently; Related records 7 years
Certified Financial Statements	Permanently.
All Purchasing Records	7 years.
Purchase Orders	7 years
Purchasing Files	6 years
Supply Requisitions	2 years
Surplus Property Logs	Until suspended or obsolete
Utility and Paid Service Receipts	7 years
Voucher Files	7 years
Change of Address Records	5 years.
Occupational Tax Lists	Until suspended or obsolete.
Property Tax Return Forms	5 years.
Real Estate transfer records	As long as of Administrative value.
Balance Sheets	Retain 7 years.
Bank Statements and Reconciliations	7 Years Retain 3 years.
Bills	Retain 7 years.
Cancelled Checks	Retain 7 years.
Check Registers	Retain 7 years.
Daily Cash Records	3 years
Deposit Slips	7 years Retain 3 years.
Depreciation Schedules	Life of equipment + 3 years
Expense Reports	Retain 7 years.
Investment Records	6 years after cancellation
Vendor Files	Retain until superseded.
Warrants	Retain 7 years.
Survey of Financial Condition Forms (DCED)	3 years
Treasurer's Bond Certifications	7 years
Tax Collection and Assessment Records	
Bill of Taxes	Retain 2 years.

Certification for Taxes Paid on Real Estate	2 years
Change of Address Records	Retain 2 years.
Delinquent Tax Collection Records	Retain 1 year after delinquent taxes paid
Exoneration Certificates	Retain 5 years.
General and Special Tax Ledgers and Related Records	Retain 7 years
Occupational Tax Lists	Retain until superseded or obsolete
Tax Return Forms	5 years
Public Utility Realty Reports	7 years
Real Estate Transfer Records	Retain as long as of administrative value.
Tax Bills, Paid Receipts	Retain 2 years.
Tax Collector's Monthly Report to Taxing Districts	7 years
Tax Collector's Return Sheets	1 year after delinquent taxes paid
Tax "Duplicates"	Retain information on tax payments 7 years Retain other copies as long as of administrative value
Tax Millage Certificates	Permanently
Annual Collection Reports Submitted to the State.	Retain 10 years.
Sales and Use Tax Exemptions	3 years after last sale
Police Records	
Animal Law Enforcement Records	2 years.
Bicycle Registration	2 years
Traffic Citations	5 years. 3 years if not part of criminal history case file
Non Traffic Citations	5 years. 3 years if not part of criminal history case file
Community Relations Files	As long as of administrative value.
Daily Activity Records	5 3 years.
Daily Bulletins/Blotters/Logs	As long as of administrative value.
Dispatcher's Log Book	2 years. 3 years after last entry
Accident Reports (motor vehicle)	5 years after the close of the investigation.
Parking Tickets	1 year after all fines have been paid.
Towing Records	1 year after all fines have been paid.
Calibration Records	Retain 5 years after expiration of certification.
Community Relations Files	Retain as long as of Administrative Value.
Complaints, Incident Reports	Retain 3 years if not part of a criminal history case.
Court Orders	Retain as long as of administrative and

	legal value.
Criminal History/Investigative Files- Homicide, Suspicious Death, Missing Persons	Retain for 75 years.
Summary Cases	Retain for 5 years.
All Other Cases	Retain for 20 years.
Criminal History Dissemination Records	Retain same as case file; if not criminal record found retain 2 years
Firearms and Ammunition Records	2 years after superseded or obsolete
Hunting Accident Reports	2 years
Internal Affairs Case Files	Incident Log - Retain for 7 years. Substantiated Charge – 3 years after termination of employment Unsubstantiated Charge – 3 years after close of investigation or compliance
K-9 Corps Records	Retain veterinary records 2 years after retirement or death of the dog.
Master Name Index	As long as of administrative value
Missing Persons File	Until case considered closed
Motor Vehicle Accident Reports	Retain for 5 years.
Parking Violations	Retain 1 year after all fines have been paid.
Abandoned or Impounded Vehicles	Retain 2 years.
Recommendations for Special Driver's Exams	Retain 1 year
PA Uniform Crime Reporting Worksheets	2 years
Permits and related applications	3 years after expiration
Property Records	Retain 40 6 years after property is no longer in custody of the department.
Temporary Detention Reports	Retain 3 years.
Detention Inspection Reports	4 years
Tow Truck Operators Schedule Records	Retain as long as of administrative value.
Training Records	Retain as long as of administrative value
Vacant Home Check Record	30 days unless used as evidence
Video/Audio Tapes	30 days unless used as evidence
Waivers/Release Forms	As long as of administrative value
Fire Records	
Annual Fire Loss Records	Retain permanently if not presented in annual report.
Certification of Service	Retain current report plus two prior audit

	cycles.
Daily Bulletins/Blotters/Logs/ Activity Records	Retain as long as of administrative value. 3 years
Drill Reports	Retain 7 years.
Incident Reports – serious incidents and major issues	Permanently
Incident Reports – routine	3 years
Equipment Records	Retain as long as of administrative value.
Fire Codes and Ordinances	Permanently
Fire Safety Inspection Records – automated sprinkler systems	Retain until superseded or obsolete
Fire Safety Inspection Records – Building surveys/inspection records/notices of violation	Retain 10 years.
Hydrant Records – location listings/maps	Retain until superseded or obsolete
Hydrant Records – maintenance/testing records	Retain 2 years after hydrant is removed or replaced.
Arson Investigation/Fires Resulting in Death or Injury Files	Retain 15 years after case is closed. Permanently
Investigation – Routine	10 years after cause is determined
Equipment/Maintenance logs/inspection reports	Retain for live of equipment or transfer with vehicle if appropriate
Fire Alarm box test records	2 years after box is removed or replaced
Permits and related files	3 years after expiration/revocation
EMS Emergency Services Records	
Audio Tapes and Logs	Retain tapes 45 days Retain logs 3 years after last entry Retain all as needed for evidentiary need
Emergency Management Plan	Retain 3 years after superseded.
Trip Reports	Retain 7 years.
Incident Cards and Reports	Retain 3 years.
Quality Assurance Reviews	Retain 10 years.
Radio Dispatcher's Logs	Retain 3 years after last entry.
Public Health/Codes Records	
Applications for Food Service Manager/Operator Certification	5 years
Citations	3 years
Notices of violation and all related correspondence	2 years after final disposition 30 days after issue settled or resolved
Epidemiological Reports	7 years
Health Inspection records	4-5 5 years
Reports to the State Board of Health	5 years
Food Embargo, Condemnation, Recall	Retain 5 years.

Records	
Nuisance Records-Tall Grass/Weeds, Odors, Animals, Filthy Conditions	Retain 2 years after final disposition.
Permits/Licenses	3 years after expiration or denial
Rent Withholding Cases	Retain 7 years.
State Permits and Approvals	Retain in accordance with regulations set forth by the issuing agency.
Vector Control Records	Retain 4 years.
Public Works/Engineering Records	
Applications/Licenses/Permits	Annual – 3 years after expiration Indefinite – until revoked or suspended
Complaints/Notification of Hazards	2 years after correction/final resolution
Construction Inspection Reports	12 years after acceptance of project
Construction Records Plans and Specifications	Permanently. Retain until structure is reconstructed or long longer municipal property; transfer to new owner if appropriate
Engineering Drawings	Permanently
Equipment Records	For the life of the equipment.
Liquid Fuels Tax Records	7 years.
Highway Transfers	Permanently
Maintenance Records	Routine 5 years. Structural - Retain until structure is reconstructed or long longer municipal property; transfer to new owner if appropriate
Maps	One copy permanently, duplicates can be disposed when obsolete.
Road and Bridge Books	Permanently.
Road Mileage Reports	Permanently
Road Operations Procedures	Retain until superseded
Storm Water Management Records	Permanently.
Street Light Records	Installation records and plans – retain until light is removed or replaced Routine maintenance – 5 years
Street Assessment Notification Records	3 years after all payments made
Opening Orders and Deeds of Dedications	Permanently.
Street Cut Records	5 years.
Traffic Studies	As long as of administrative value.
Transportation System Performance Reviews	Retain 3 years.
Underground Conduit Reports	Retain Permanently. 1 year
Waste Management	
Act 537 Plans	Until superseded or obsolete

Biosolids Disposal Records	Permanently Retain permits and applications until superseded or obsolete Retain reports and related records 30 years
Sewage Planning Module Components	5 years after last lot developed Retain as long as of administrative value
Daily Operating Reports	2 years.
Discharge Monitoring Reports	5 3 years.
Recycling Records	10 5 years.
Trash Hauler Records	4 years.
Investigation Case Files	Retain 25 years after case is closed.
Lab Accreditation Records	Retain applications and certifications until superseded or obsolete Retain all other records 5 years
Notification of Permits and Permit Revisions	Retain 10 years
On-Lot Sewage System Records	Retain until system is replaced or property is connected to the public sewage system. Retain permits until superseded or obsolete; retain other records until system is replaced or property connected to public sewage treatment system
Yearly Waste Load Management Reports	Retain permanently 2 years
Sewage Treatment Installation Records	Retain permanently.
Sewage Treatment extensions/pump facilities records	Retain permitting records until superseded or obsolete Retain all other records permanently
Sewer Assessment Notification	Retain 1 year after all payments have been made
Sewer Enforcement Officer Certification Records	Retain until expiration of certification
Sewer Rights of Way and Easements	Permanently
Recycling Program Records	Retain 5 years.
Solid Waste Records (Landfills)	Retain permanently Retain permits until superseded or obsolete Retain all other records for 30 years after lifespan of facility
Toxic Reduction Evaluation Reports	Permanently
Hauler/Transporter Records	Retain 4 10 years.
Water Quality	
Operating Records for Water Treatment	Permanently

Plants – Annual reports and special studies	
Operating Records for Water Treatment Plants – Daily Reports	Retain 2 years
Operating Records for Water Treatment Plants – Monthly Reports	Retain 10 years
Permit Files for Water Treatment Plants and Public Water Supply Systems	Permanently
Water Line Assessment Notification Records	Retain 3 years after all payments have been made
Water Quality Records	Annual water supply reports, emergency response plans, operation and maintenance plans until superseded or obsolete Other records retain 12 years
Waterworks Operators Certification Records	Retain until expiration of certification
Meter Reading Records	Retain 5 years
Planning and Building	
Building and Housing Construction Records	Commercial – until structure is demolished Other 5 years after certificate of occupancy issued or after 5 years if no certificate of occupancy is issues
Building Permits and Applications	^{5-years} Commercial – until structure is demolished Other 5 years after certificate of occupancy issued or after 5 years if no certificate of occupancy is issues
Complaints, Citations, Notices of Violations and Investigations	3 years after resolution of complaint
Comprehensive Plan	Permanently (With at least one copy on file in the City Clerks office)
Contractor's Licensing Records	7 years
Economic Development/Redevelopment Files	Comply with retention requirements of appropriate agency
Flood Plain Management Records	Annual Report – 5 years Variance - Permanently
Maps and Plats	One copy permanently, other copies until superseded or obsolete (with at least one copy on file in the City Clerk's Office)
Arial Photography	Retain until superseded or obsolete; contact State Archives regarding possible historical value.

Planning Commission Minutes	Permanently
Planning Studies and Surveys	Permanently
Demolition Permits and Applications	Retain Permanently.
Zoning	
Occupancy and Use Permits	Until revoked or superseded Permanently
Issued Zoning Permits	5 years
Subdivision and Land Development reviews	Permanently
Decisions of the Zoning Hearing Board	Permanently
Hearing Applications	3 years after final decision
Ordinance Amendment Reviews	Permanently (with at least one copy on file in the City Clerk's Office)
Records in Court Cases	Permanently
Zoning Hearing Board minutes	Permanently
Zoning Hearing tapes, stenographic notes and transcripts	Tapes and notes – 90 days after final decision if no appeal; if appeal retain until resolution of case
Library Records	
Applications for State Aid	Retain 5 years.
Book and Material Inventories	Retain until superseded or obsolete.
Book Purchase and Disposal Records	Retain 2 years.
Circulation Records	As long as of administrative value. Retain 2 years Retain annual statistics permanently
Patron Registration Files	Retain 3 years after the expiration of the card. For patrons with delinquencies retain 3 years after settlement
Reports to State Library	Retain Permanently.
Rules and Regulations	5 years after revoked or superseded
Parks and Recreation Records	
Accident/Incident Reports	Retain 3 years.
Citations	Retain 3 years.
Operation and Maintenance Records	5 years
Park Planning Files	Retain Permanently.
Park Program Files	2 years
Park Rules and Regulations	Retain 5 years after revoked or superseded.
Park Use Records	Retain 3 years.
Public Bathing Facilities – including pools, chemicals, etc	4 years

<i>Information Technology</i>	
<i>Computer Inventory Records</i>	<i>4 years after computer removed from service or reassigned</i>
<i>Computer Systems Documentation</i>	<i>1 year after migration of all records with ongoing value to new system</i>
<i>Equipment and Network Usage Documentation</i>	<i>1 year after updated or superseded</i>
<i>Equipment Records</i>	<i>Retain for life of equipment</i>
<i>Computer Usage Files and Reports</i>	<i>1 year</i>
<i>Network and PC Password and Security Identifications</i>	<i>1 year</i>
<i>System Architecture Documents and Wiring Schemas</i>	<i>Retain for life of network</i>
<i>Operating System and Hardware Conversion Plans</i>	<i>1 year after successful conversion</i>
<i>Disaster Preparedness and Recovery Plans</i>	<i>Retain until superseded or revised</i>
<i>System Backup Files</i>	<i>Retain until superseded</i>
<i>Security Records</i>	<i>1 year</i>
<i>Input Documents</i>	<i>Retain as long as of administrative value</i>
<i>User Requests for IT Services</i>	<i>Retain as long as of administrative value</i>
<i>Network Implementation Project Files</i>	<i>Retain until superseded</i>

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

Approving the Conditional Use application for 10 units, 9 residential units on
the upper floors and 1 commercial/office unit on the first floor of 1259 N 10th
Street, owned by Bradley Weisman, as attached in the Findings of Fact and
Conclusion of Law

Adopted by Council _____, 2009

Vaughn D. Spencer, President of Council

Attest:

Linda A. Kelleher, City Clerk

**Conditional Use Application
1259 North 10th Street**

IN THE MATTER OF	§	BEFORE THE
	§	
BRADLEY WEISMAN	§	CITY OF READING
	§	
OWNER OF 1259 N. 10 th ST	§	CITY COUNCIL
READING, PA	§	
	§	

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER, AND AGREED RESOLUTION**

On Wednesday, March 18, 2009 at 5:00 p.m. in Council Chambers, the City of Reading City Council (Council) met to hear testimony on the Conditional Use application to correct the zoning records to allow a 10 unit building, 9 residential units on the upper floors and 1 commercial/office unit on the first floor of 1259 North 10th Street, owned by Mr. Bradley Weisman (Applicant).

Findings of Fact

1. The City of Reading Zoning Ordinance Section 27-1203 (4) limits multi unit rental properties to only the R-3 area and requires that the conversion of single family properties to multi-family properties be approved by Conditional Use by Council.
2. The Applicant submitted the required Conditional Use form and appeared at the hearing held on Wednesday, March 18, 2009 and requested that Council correct the zoning records to allow the building to contain 10 units, 9 residential units on the upper floors and 1 commercial/office unit on the first floor.
3. The City Solicitor issued the oath to the Applicant.
4. The Applicant stated that when he purchased the property in 1998, the building contained 10 units, 9 residential units on the upper floors and 1 commercial/office unit on the first floor.
5. The applicant stated that this building has been divided into 10 units for approximately 20-30 years. Magisterial District Judge Xavios' courtroom currently operates from the first floor of the building. The first floor previously housed a State Liquor store for approximately 20 years.

6. The applicant stated that he is not seeking additional units in the building but is requesting a correction to the zoning record for this property. Current zoning records show that the building has 6 rental units. This inconsistency was discovered as the property traveled through the new housing permit process adopted by City Council.
7. The Applicant stated that he owns other residential rental units in the City of Reading and has always complied with the City's regulations for property maintenance inspections and rental permits.
8. The Applicant expressed his belief in the new rental housing permit process adopted by City Council.

Conclusions of Law

The City of Reading Zoning Ordinance, part of the City's Codified Ordinances, Section 27-1203 (4) requires that the conversion of single family properties to more intense residential use in R-3 areas be approved by Conditional Use by the City of Reading City Council. Section 27-1203 (4C) requires that 1.5 off-street parking spaces be provided per living unit and (4D) requires that the Applicant submit documents that indicate that all plumbing heating, electrical equipment and facilities are adequate and appropriate for the proposed use. The City's first zoning ordinance was adopted in 1957 and did not include a requirement for off-street parking spaces for rental units. The requirement for 1.5 off-street parking spaces per rental unit began with a zoning amendment adopted in 1971.

Order and Agreed Resolution

As the Applicant supplied all necessary documentation and applications required, and

As the Applicant provided sufficient documentation that the building was a pre-existing multi rental unit property; and

As this property was known to be constructed as a multi unit rental property and it is believed that this building was built around 1930, City Council approves the Conditional Use Application and directs the Zoning Office and Codes Office to correct property records to show that 1259 North 10th Street has one commercial/office unit on the first floor and 9 residential units on the upper floors and in this case, excuses the requirement for 1.5 off-street parking spaces per unit, as the building's use pre-dates the 1971 requirements for 1.5 off-street parking spaces per unit.

Right to Appeal

If you disagree with the decision of City Council you may file an appeal with the Court of Common Pleas of Berks County within 30 days after notice of the decision has been

made. Your failure to file the appeal within such 30 days shall preclude an appeal from such decision.

RESOLUTION NO ____ 2009

Whereas, the City of Reading City Council supports and applauds the work of the Blighted Property Review Committee to help revitalize the housing stock within the City of Reading; and

Whereas; the City of Reading City Council also supports the desire of the Blighted Property Review Committee to create a program that will celebrate various property owners who work to keep their properties in good condition; and

Whereas; the City of Reading City Council recognizes that the Properties of Merit Program, used in other Pennsylvania communities such as Allentown, Bethlehem, Quakertown, Erie, etc., has worked to encourage better maintained properties and improves the quality of life within neighborhoods and communities.

NOW THEREFORE BE IT HEREBY RESOLVED THAT

The City of Reading City Council hereby authorizes the start of the Properties of Merit program in the City of Reading and hereby establishes a close working relationship between Properties of Merit, the City of Reading and the City's Blighted Property Review Committee that will assist City Council in its' quest to revitalize the City's neighborhoods and communities.

Adopted by Council on the ____ day of _____, 2009

Vaughn D. Spencer, President of Council

Attest:

Linda A. Kelleher, City Clerk

(Councilor Fuhs)

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

Authorizing the submission of the attached PaDEP Grantee Agreement for
Bushong Mill Dam, across the Tulpehocken Creek, upstream from the
confluence with the Schuylkill River

Adopted by Council on this ____ day of February, 2009

President of Council

Attest:

Linda A. Kelleher
City Clerk